

SENATE.

SATURDAY, May 9, 1914.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, it has been said of old where there is no vision the people perish. Every question presented to us is impressive with its future consequences. Every problem bears heavy upon us, because it bears in its train the welfare of those coming after us. We pray that we may realize the importance of every issue that is presented, and that there may be no disposition in any of us to tax the future for present gain. Where duty calls may we be enabled to make the supreme sacrifice. Hear us to-day for Thy blessing upon us in guiding us in thought, in heart, in purpose, in will, that Thy will may be done and Thy righteousness may be established among this people. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

Mr. JONES. Mr. President, before any business is transacted, there being only half a dozen Senators on the other side, I think we ought to have a quorum. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	Page	Stone
Brady	James	Perkins	Sutherland
Brandegee	Johnson	Poinexter	Swanson
Bristow	Jones	Pomerene	Thornton
Bryan	Kenyon	Ransdell	Tillman
Burleigh	La Follette	Saulsbury	Vardaman
Burton	Lane	Sheppard	Walsh
Chamberlain	Lodge	Shields	Warren
Chilton	McLean	Shively	West
Clapp	Martine, N. J.	Simmons	Williams
Clark, Wyo.	Norris	Smith, Ga.	Works
Gallinger	Overman	Smoot	
Goff	Owen	Sterling	

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

SALARIES OF COLLECTORS OF INTERNAL REVENUE (S. DOC. NO. 480).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending an increase in the estimates submitted by the Treasury Department for salaries and expenses of collectors of internal revenue from \$2,150,000 to \$2,190,000, which was referred to the Committee on Appropriations and ordered to be printed.

ESTATE OF GEORGE WRIGHT, DECEASED.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Court of Claims, requesting, pursuant to an order of the court, the return of the order of dismissal in the cause of the Estate of George Wright, deceased, v. United States. The communication will be referred to the Committee on Claims, and, there being no objection, the papers will be returned to the Court of Claims.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16294. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 16345. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

The message also announced that the House had passed the following bills, each with amendments, in which it requested the concurrence of the Senate:

S. 4168. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4552. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4260. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors;

S. 4352. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4657. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of W. H. Derwin Camp, No. 5, United Spanish War Veterans, of Manchester, N. H., praying for the enactment of legislation to grant pensions to widows and minor children of veterans of the War with Spain and the Philippine insurrection, which was referred to the Committee on Pensions.

Mr. BRISTOW. I have the following telegram from C. L. Brokaw, of Kansas, sent from Hutchinson. It reads:

Kansas State Sunday School Convention petition earnestly for speedy enactment of greatly needed Smith-Hughes bill, to establish Federal censorship of motion pictures.

I desired to read the telegram, and I wish to state that I believe the proposition is a good one and the measure ought to be passed. I ask that the telegram may be referred to the Committee on Education and Labor.

The VICE PRESIDENT. The telegram will be referred to the Committee on Education and Labor.

Mr. WORKS presented a telegram in the nature of a petition from sundry organizations and churches in the State of California, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, and for the enactment of legislation to provide for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a telegram in the nature of a memorial from an executive committee representing 52 importers and wholesale liquor merchants of San Francisco, Cal., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. SHIVELY presented memorials of Colonel Ashbury Steele Post, No. 39, and of General Shunk Post, No. 23, Grand Army of the Republic, Department of Indiana, of Marion, and of Fred D. Ballou Camp, No. 32, Spanish War Veterans, of Marion, all in the State of Indiana, remonstrating against the enactment of legislation to abolish the National Military Home at that place, which were referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the Trinity Swedish Evangelical Lutheran Church, of Elkhart, Ind., praying for the enactment of legislation to provide for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Lebanon, Ind., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BURLEIGH presented petitions of sundry citizens of Maine, praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which were referred to the Committee on the Judiciary.

Mr. PAGE presented a petition of the congregation of the Methodist Episcopal Church of Wolcott, Vt., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. WARREN presented a telegram in the nature of a memorial from sundry banks and commercial houses in the State of Wyoming, remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating beverages, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a memorial of the Retail Liquor Dealers' Association of New London, Conn., remonstrating against the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

CLARENCE HAZELBAKER.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (S. 2630) for the relief of Clarence Hazelbaker, reported it with an amendment and submitted a report (No. 503) thereon.

HENRY LA ROQUE.

Mr. CLAPP. From the Committee on Indian Affairs I report back favorably without amendment the bill (H. R. 14229)

for the relief of Henry La Roque, and I submit a report (No. 502) thereon. This is a measure which has passed the House, giving a right of appeal to an Indian allottee, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Secretary will read the bill. The Secretary read the bill, as follows:

Be it enacted, etc., That Henry La Roque, an Indian of the White Earth Indian Reservation, in the State of Minnesota, be, and he is hereby, permitted to appeal within 90 days after the passage of this act from the decree entered in the United States Circuit Court of Appeals for the Eighth Circuit on the 8th day of July, 1912, in a suit wherein the United States is the appellant and Henry La Roque the appellee, to the Supreme Court of the United States, giving such notice or notices and taking such proceedings as are required by law and practice in such cases to effect such appeal. To enable such appeal to be taken and perfected the time therefor and for all notices and proceedings provided in the law or practice to be given or taken is hereby extended until the expiration of the period of 90 days from and after the passage of this act.

Mr. CLARK of Wyoming. For what purpose was the bill read?

The VICE PRESIDENT. The Senator from Minnesota asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. CLARK of Wyoming. If I understand the bill, I think I shall have to object to it.

Mr. CLAPP. I hope the Senator will not object to this bill. It is the case of an Indian allottee, where the decision was made, and for want of funds he was unable to take his appeal within the time. It is in defense of an Indian's right, not aggressively against the Indian. The bill simply grants him the right of an appeal.

Mr. CLARK of Wyoming. I understand the general law provides for all cases of this sort, and I think we ought to go very moderately in restoring the right to appeal where the right to appeal does not exist. I myself believe that the bill ought to have been considered by the Judiciary Committee. I do not know whether it has been or not.

Mr. CLAPP. If the bill would confer the right of appeal upon a full citizen, I would not think for a moment of asking for its passage. It is in behalf of one of the wards of the Nation. The bill was referred to the Judiciary Committee, and when I called the attention of some members of the Judiciary Committee to the fact they very readily conceded, and the chairman conceded at once, that the bill should go to the Committee on Indian Affairs. We are dealing with a ward, not changing the right of appeal as to citizens of this country.

Mr. CLARK of Wyoming. It is not changing the general law, but changing the rules which have been laid down and the law as it now exists in regard to court procedure. I do not believe that should be done in this way. I shall have to ask the Senator to let the bill go over to-day at least.

Mr. SUTHERLAND. Let me ask the Senator from Minnesota whether the rights of any third parties are involved in the case, or is it simply a question between the United States and the Indian?

Mr. CLAPP. As I understand it, it is simply a question between the United States and the Indian. He brought suit under the statutes to enforce his right to an allotment, and the Secretary refused to make the allotment.

Mr. SUTHERLAND. It is against the Government?

Mr. CLAPP. It is against the Government.

Mr. SUTHERLAND. The rights of no private person are involved in the matter whatever?

Mr. CLAPP. Not as I understand. The bill was favorably reported on by the department and it passed the House. If the bill undertook to interfere with the judiciary laws or to give the right of appeal to a citizen, of course it should go to the Committee on the Judiciary, but the question whether we shall confer upon a ward this particular right, where it has lapsed because of his inability for want of means to bring his appeal, it seems to me is clearly within the purview of the Committee on Indian Affairs.

Mr. SUTHERLAND. I suppose, Mr. President, if we choose to do so we could pass an act granting to the Indian this particular land.

Mr. CLAPP. Why, certainly; and such a bill would not go to the Judiciary Committee.

Mr. CLARK of Wyoming. And to a bill of that sort, Mr. President, I should not raise the slightest objection.

Mr. CLAPP. Well, the Senator can enter his objection and let the bill go to the calendar.

The VICE PRESIDENT. The bill will go to the calendar.

FRANK ELLSWORTH McCORKLE.

Mr. BRISTOW. From the Committee on Military Affairs I report back favorably without amendment the bill (H. R. 3432) to reinstate Frank Ellsworth McCorkle as a cadet at the United

States Military Academy, and I submit a report (No. 504) thereon. I ask unanimous consent for the present consideration of the bill. It will not take much time.

Mr. JONES. I should like to ask the Senator what is the reason for this bill?

Mr. BRISTOW. This bill is for the relief of one of the six boys who were discharged some time ago for drinking beer, as the Senator will remember. All of them, except this one, have been reinstated, and this bill proposes to reinstate him and it has passed the House. He was in the same party and did exactly the same thing as the other boys, nothing more and nothing less.

Mr. JONES. Why was he not included in the other bill?

Mr. BRISTOW. He was just omitted; that is all.

Mr. JONES. I suppose, under the circumstances and in view of the passage of the other bill, he should be put upon the same basis as the others, of course.

Mr. BRISTOW. Certainly.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to reappoint as cadet at the United States Military Academy, without regard to age or the existence of vacancies, Frank Ellsworth McCorkle.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE ECONOMIC VALUE OF MAN.

Mr. CHILTON. On April 15 the Senator from Utah [Mr. SUTHERLAND] presented an article on "The Economic Value of Man," prepared by Dr. Chauncey Rea Burr, of Portland, Me., and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, and I ask that it may be read.

The resolution (S. Res. 351) was read, as follows:

Resolved, That the manuscript submitted by Mr. SUTHERLAND on April 15, 1914, entitled "A Treatise on the Economic Value of Man, Together with Rules for Determining His Economic Loss in Every Case of Injury or Disease," by Dr. Chauncey Rea Burr, of Portland, Me., late assistant surgeon, United States Navy, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

THE ROCKEFELLER FOUNDATION.

Mr. CHILTON. On April 14 the Senator from Iowa [Mr. KENYON] presented a communication from the Secretary of Agriculture relating to the general education board of the Rockefeller Foundation, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 352) was read, as follows:

Resolved, That the communication from the Secretary of Agriculture in response to the resolution submitted by Mr. KENYON and adopted by the Senate on April 1, 1914, calling for information in regard to the relation of the general education board of the Rockefeller Foundation to the work of the Department of Agriculture, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

EFFECT OF PANAMA CANAL ON SEA TRAFFIC.

Mr. CHILTON. On April 1 the Senator from California [Mr. WORKS] presented an article of Russell L. Dunn, of San Francisco, on the effect of the Panama Canal on sea traffic, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 353) was read, as follows:

Resolved, That the manuscript submitted by Mr. WORKS on April 1, 1914, entitled "Effect of the Panama Canal on Sea Traffic," by Mr. Russell L. Dunn, of San Francisco, Cal., be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

COAL-LAND LEASES.

Mr. CHILTON. On March 27 the Senator from Washington [Mr. JONES] presented an article prepared by T. P. McDonald on the leasing of coal lands in the United States and other countries, and asked that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, and ask that it be read.

The resolution (S. Res. 355) was read, as follows:

Resolved, That the manuscript submitted by Mr. JONES on March 27, 1914, entitled "Leasing Coal Lands in the United States and Other Countries," by T. P. McDonald, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

WORKMEN'S COMPENSATION.

Mr. CHILTON. I am directed by the Committee on Printing, to which was referred the Senate resolution 326, to authorize the printing of Senate Document No. 419, workmen's compensation report, submitted by Mr. BRADY on April 4, to report it favorably.

The VICE PRESIDENT. The resolution will be placed on the calendar.

THE CONSULAR SERVICE.

Mr. CHILTON. On March 5 the Senator from South Dakota [Mr. STERLING] presented an article entitled "The American Consular Service and Commercial Attachés," written by Mr. J. J. Slechta, of New York, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 356) was read, as follows:

Resolved, That the manuscript submitted by Mr. STERLING on March 5, 1914, entitled "The American Consular Service and Commercial Attachés," by Mr. J. J. Slechta, of New York, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

ADDRESS BY JUDGE WALTER CLARK.

Mr. CHILTON. On March 25 the Senator from North Carolina [Mr. OVERMAN] presented a copy of an address by Chief Justice Walter Clark, of the Supreme Court of North Carolina, and asked that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 357) was read, as follows:

Resolved, That the manuscript submitted by Mr. OVERMAN on March 25, 1914, entitled "Government by Judges," an address delivered by Chief Justice Walter Clark, of the North Carolina Supreme Court, at Cooper Union, New York City, January 27, 1914, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

THE MISSISSIPPI RIVER.

Mr. CHILTON. On March 5 the Senator from Nevada [Mr. NEWLANDS] presented an article by Barnett E. Moses, on the problem of the Mississippi River, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 358) was read, as follows:

Resolved, That the manuscript submitted by Mr. NEWLANDS on March 5, 1914, entitled "The Problem of the Mississippi River," by Mr. Barnett E. Moses, of the Memphis bar, be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

TREATY-MAKING POWER UNDER THE CONSTITUTION.

Mr. CHILTON. On April 22 the Senator from California [Mr. WORKS] presented an article on the treaty-making power under the Constitution of the United States, prepared by Henry St. George Tucker, and requested that it be printed as a Senate document, and it was referred to the Committee on Printing for action. I am directed by the Committee on Printing to report the following resolution, which I ask may be read.

The resolution (S. Res. 359) was read, as follows:

Resolved, That the article submitted by Mr. WORKS on April 22, 1914, entitled "The Treaty-Making Power Under the Constitution of the United States," by Henry St. George Tucker, of Lexington, Va., be printed as a Senate document.

The VICE PRESIDENT. The resolution will be placed on the calendar.

MARKETING OF APPLES.

Mr. CHILTON. On December 19 the Senator from Washington [Mr. POINDEXTER] presented an article on Western Apples: How and When to Use Them, by Mr. John P. Hartman, of Seattle, Wash., and requested that it be printed as a Senate document. I am directed by the Committee on Printing to report the following resolution, which I ask may be read. I call the attention of the Senator from Washington [Mr. POINDEXTER] to the resolution, who, I think, is in a hurry for it.

The resolution (S. Res. 354) was read, as follows:

Resolved, That the manuscript submitted by Mr. POINDEXTER on December 19, 1913, entitled "Western Apples: How and When to Use Them," by Mr. John P. Hartman, of Seattle, Wash., be printed as a Senate document.

Mr. POINDEXTER. I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Mr. President, I shall not object to the resolution, as it is a small matter; but I will object to other similar requests, because I think that if we are ever to get rid of the business on the calendar we must have the bills as they are reported go to the calendar. Then Senators will become sufficiently interested in them to enforce the consideration of bills on the calendar.

Mr. POINDEXTER. I realize the force of what the Senator says, and I would not make the request only from the fact that this matter has been unreasonably delayed.

The resolution was considered by unanimous consent and agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 5518) granting an increase of pension to John F. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 5519) to reestablish the Circuit Court of the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. McLEAN:

A bill (S. 5520) granting an increase of pension to Elizabeth R. Frink (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 5521) granting an increase of pension to Maggie Daugherty (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 5522) for the relief of James W. Kingon; to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SWANSON submitted an amendment proposing to appropriate \$200,000 for a new dry dock at Norfolk Navy Yard, Norfolk, Va., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. JONES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. GORE submitted an amendment intended to be proposed by him to the omnibus claims bill, which was ordered to lie on the table and be printed.

SENATE OFFICE BUILDING COMMISSION.

Mr. GALLINGER. Mr. President, I desire to make a brief statement.

In the sundry civil appropriation act of April 28, 1904 (Stat. L., vol. 33, pt. 1, p. 481), a commission was created to acquire a site and construct the building known as the Senate Office Building. The commission, as created, was composed of Senators Cullom, of Illinois; GALLINGER, of New Hampshire; and Cockrell, of Missouri. When Senator Cockrell left the Senate, Senator Teller, of Colorado, was appointed to the vacancy. Since then Senators Cullom and Teller have died, so that I am now the only surviving member of the commission.

The law provides that—

Any vacancy occurring by resignation or otherwise in the membership of the said commission shall be filled by the presiding officer of the Senate.

I am informed, Mr. President, by the Superintendent of the Capitol Building and Grounds that it is important that the vacancies on the commission shall be filled, as the work has not been completed, and it is necessary that the commission shall be consulted from time to time. In view of that fact I venture to suggest that the vacancies be filled by the Vice President, as provided by law.

The VICE PRESIDENT. The Vice President fills the vacancies on the commission by the appointment of the Senator from North Carolina [Mr. OVERMAN] and the Senator from Indiana [Mr. KERN].

PANAMA CANAL TOLLS.

Mr. CHILTON. Mr. President, I desire to give notice that on Thursday next, the 14th instant, at the conclusion of the remarks of the Senator from New Hampshire [Mr. GALLINGER],

I shall submit some observations on the Panama Canal tolls question.

ESTATE OF THOMAS B. MCCLINTIC, DECEASED.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased.

Mr. BRYAN. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. MARTIN of Virginia, and Mr. CRAWFORD conferees on the part of the Senate.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4168) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4552) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4260) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4352) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4657) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. SHIVELY. I move that the Senate disagree to the amendments of the House and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 16294. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 16345. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

DEPOSITS OF STATE BANKS AND TRUST COMPANIES.

The VICE PRESIDENT. Morning business is closed.

Mr. OWEN. I ask unanimous consent for the consideration of the bill (S. 4966) proposing an amendment as to section 19 of the Federal reserve act relating to reserves, and for other purposes. If the bill involves any debate whatever I shall not press it at this time. It simply modifies the Federal reserve act by inserting these words:

If a State bank or trust company is required or permitted by the law of its State to keep its reserves either in its own vaults or with another State bank or trust company or with a national bank, such reserve deposits so kept in such State bank, trust company, or national bank shall be construed within the meaning of this section as if they were reserve deposits in a national bank in a reserve or central reserve city for a period of three years after the Secretary of the Treasury shall have officially announced the establishment of a Federal reserve bank in the district in which such State bank or trust company is situated.

Under the law as it stands it would remove some of the deposits which now are held by State banks and trust companies, being the deposits and reserves of other State banks and trust companies, and it was thought best not to disconcert or interfere with the present order more than was necessary in the establishment of the Federal reserve system.

Mr. SMOOT. Mr. President, I have not had time to examine the bill, and I do not particularly make objection to its consideration now on my own account, but I do feel that there ought to be some questions asked in regard to the measure, and I understand that a number of Senators are interested in it.

Mr. OWEN. I ask that the bill go over, in view of the Senator's statement.

Mr. BURTON. Mr. President, before the bill goes over, I call the attention of the Senator from Oklahoma to one point in it which seems not to have attracted notice. The existing law provides:

Any Federal reserve bank may receive from the member banks as reserves, not exceeding one-half of each installment, eligible paper as described in section 14 properly indorsed and acceptable to the said reserve bank.

There was considerable discussion upon that provision of the law when the bill was pending last year. It was thought by some of us altogether objectionable to allow commercial paper to be used for the reserves of banks. This proposed amendment changes the existing law, so that eligible paper as described in section 13, properly indorsed and accepted by the said reserve bank, may be used. The quantity of paper available for discount under section 13 is much greater than that under section 14. I have only hastily compared this bill with the existing law, but I think it proposes a very material change; and as the bill is to go over, I ask the attention of the Senator from Oklahoma to that fact.

Mr. OWEN. I thank the Senator for calling attention to it.

Mr. WILLIAMS. Mr. President, this matter being up reminds me of another related matter, about which I want to make just one observation. I ask the attention of the chairman of the Banking and Currency Committee, and I hope that the committee will remedy the evil to which I am about to refer. I am satisfied that it was an oversight.

The currency bill as it passed provides that to the extent to which member banks can lend upon real estate they must lend upon real estate situated in the reserve district. The lines of the districts run very uncertainly. For example, take the line that runs through the State of Mississippi; it goes from the northern border of Hinds County. The banks below there do business at one place and are members of one district, and those above are members of another. I suggest to the Senator from Oklahoma that he bring to the attention of his committee an amendment permitting the banks to lend upon real estate either in the reserve district within which a particular bank is situated or in the State in which it is situated. For example, a bank at Jackson can not lend on real estate in Madison County or in Yazoo County—adjoining counties. I give an illustration in my own State, because I am better acquainted with the situation there than anywhere else. It seems to me that condition ought to be remedied at the very earliest opportunity.

These banks have been lending money as State banks upon real estate in these and in the adjoining counties. All that it is necessary to do is at the proper place in the law to insert the words "or the State." It reads now, "the reserve bank district," and if the words "or the State" be inserted I think it will remove the objection.

PANAMA CANAL TOLLS.

Mr. WALSH. Mr. President, I ask unanimous consent that the Panama Canal tolls bill be now laid before the Senate, the Senator from Louisiana [Mr. THORNTON] having given notice that he desires to discuss that matter this morning.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14385) to amend section 5 of an act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation of the Canal Zone, approved August 24, 1912.

Mr. THORNTON. Mr. President, I rise to speak in advocacy of the pending bill to repeal that provision of the Panama Canal bill approved August 24, 1912, which exempts from the payment of tolls vessels engaged in the coastwise trade of the United States.

I am, of course, aware that on August 6, 1912, I said in the debate that I did not think such exemption was in violation of the treaty between the United States and Great Britain, known as the Hay-Pauncefote treaty, and that on March 2 of the present year I gave out a statement to the press saying I adhered to that view, although I had decided, for reasons I gave therein, to vote for the repeal of the exemption, and that on March 10 following I had the same statement inserted in the CONGRESSIONAL RECORD.

Inasmuch as it has been charged by some parties in Louisiana and also on this floor that I had changed my convictions on this subject in order to meet the views of the President, I deem it proper at this time to allude to the motives that controlled me in 1912 and to those that influenced me in 1914 up to the time of the beginning of the hearings of the Inter-oceanic Canals Committee.

When I approached the consideration in 1912 of what I may call the legal aspect of the question—the right of the United States to exempt under the provisions of the Hay-Pauncefote treaty the vessels of her citizens engaged in the coastwise trade—I was conscious of the wish to find that she had that right.

I was influenced in this wish by my strong desire to do what I could conscientiously to stimulate the growth of the merchant marine of our country, the decadence of which I had long regretted, and without making any special examination of the question I hoped that toll exemption might have this effect.

I was also influenced by the desire of the New Orleans commercial bodies, who seemed to think that toll exemption would have the effect of increasing the commercial importance of that port, a result that I would certainly wish to help bring about if I could do so without injury to other sections of my State and country.

It was in this spirit that I approached the consideration of the question of the meaning of rule 1 of article 3 on which the controversy hinged, and which reads as follows:

The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

I think it can be readily admitted that there is no patent ambiguity in this language and that the ordinary mind would conclude that under its terms the United States could not give any privilege to any ships of any of its citizens that it did not also give to every ship of every citizen of every other nation. In other words, that the language means what it says. To arrive at any other conclusion it is necessary to read something into the paragraph that is not now there or to construe its language with reference to laws not mentioned therein.

As stated in my Senate speech of 6th August, I arrived at my conclusion by reasoning that the spirit and object of the article must be sought for in construing it, and while the first part of the disputed paragraph explicitly declared the canal must be free and open to the vessels of all nations on terms of entire equality, yet the second part of it indicated that the spirit and object of it was that there should be no discrimination against any nation, and inasmuch as to my knowledge the existing laws of the United States prevented foreign ships from engaging in her coastwise trade, I drew the general conclusion—a conclusion too hastily drawn as it has since developed—that the exemption of such ships from the payment of tolls charged

the ships of other nations, would not operate as a discrimination against such nations or their citizens or subjects.

While my interpretation of the clause may have been somewhat strained, yet it satisfied me and I could advance it without a violation of my intellectual integrity.

I went no further than this in reaching my conclusion, not attempting the feat of mental gymnastics involved in the assumption that the expression "all nations" meant "all other nations."

But after determining that I could honestly uphold the treaty right of the United States to exempt her coastwise shipping from the payment of tolls, I was troubled by the further question whether she ought to do so; whether justice to all her citizens who had contributed to the great expense of building the canal and would contribute to the expense of its operation would permit her to relieve a part of them, the owners of the coastwise vessels, from contributing through the payment of tolls to the present expense of its operation and the future expense of paying for its construction as well as operation, especially as the parties sought to be thus favored were already so greatly favored by the laws of the country and would in addition be the principal direct pecuniary beneficiaries of this most expensive work.

I very distinctly remember telling my esteemed friend and colleague and deskmate, the junior Senator from New York, of the trouble this phase of the question was causing me, but I finally determined that I could justify myself in giving them this additional governmental favor.

I gave no further particular thought to the subject until about February of the present year, when persistent rumors began to emanate from the public press to the effect that the President believed the exemption clause was not only a violation of the treaty but also economically wrong, and that its retention in the law would most seriously cripple the foreign policies of our Government, and for these reasons he was very anxious for its repeal.

I brooded in my sick chamber over these reports and ended by writing to the President to ask if he would give me a direct expression of his views on the question as to whether he really thought that the retention of the exemption clause would injure our standing with foreign nations and thereby injure our national interests through the prevention of the success of our foreign policies.

I said if he so honestly believed, I would consider it my duty to my country and to him to vote for repeal, without, however, abandoning my convictions as to the legal and moral right of the United States to exempt her coastwise shipping from the payment of tolls if she so desired, which he could not expect me to abandon just because his view of that question differed from my own.

I received a most courteous reply thanking me for the perfect frankness with which I had expressed myself to him, assuring me that, of course, he could not expect me or anyone to change their views of the construction of the treaty because it did not coincide with his own, and advising me that in his judgment the repeal of the exemption clause was absolutely necessary for the continuance of our present friendly relations with foreign powers and the success of our foreign policies; and I then wrote back that I saw it as my duty to uphold his hands in this matter, and that duty I would discharge; and then, in justice to myself, I gave out the press statement of March 2 in order to show why I would support the repeal, which, as taken from CONGRESSIONAL RECORD of March 10, I ask to append hereto as part of my remarks without reading them again to the Senate:

SIGNED STATEMENT BY SENATOR THORNTON FOR THE PRESS.

WASHINGTON, D. C., March 2, 1914.

When the question of exempting American vessels engaged in our coastwise trade from the payment of Panama Canal tolls was before the Senate, I spoke and voted in favor of the exemption.

I did so believing that the United States had the legal and moral right under the Hay-Pauncefote treaty to enact such legislation, and hoping its passage might stimulate the upbuilding of our merchant marine and help our Atlantic, Gulf, and Pacific seaport cities, and without any injury to the interior sections of our country.

Having now concluded after careful thought that when the question of repealing this exemption clause comes again before the Senate it will be my duty to advocate its repeal, I wish in justice to myself to give the reason for my changed attitude.

I believe now just as firmly as before that the exemption clause of the Panama Canal act is not a violation of our treaty obligations, but I recognize now, as I always did, the substantial difference between our right of exemption and our enforcement of that right.

Understanding through newspaper reports only that the President believed our national interests would be subserved by the repeal of the exemption clause in the present law, I have appealed to him directly for an expression of his views.

Responding to my request, he has answered that in his judgment the repeal of the exemption clause is necessary for the continuance of our

present friendly relations with foreign powers and the success of our foreign policies.

Considering the canal-tolls-exemption law previously enacted to be a question of policy and not of principle, and recognizing the great responsibility resting on the President for the successful conduct of our foreign relations, and also the delicacy of the present trying situation in regard to those relations, I feel it my public duty to assist the President in carrying out his wishes in this matter.

Of course, my change of attitude, based on my conception of duty, must not be construed as the slightest criticism of my brother Senators who think it their public duty to maintain their former attitude on this question.

J. R. THORNTON.

It was three days later that the President delivered his address to the joint session of the Congress asking for the repeal of the tolls-exemption clause of the Panama bill; and if I had known that he planned doing this, I would not have troubled him in February by asking for an expression of his views to me individually; and if I had not prior to that address decided to vote for repeal, I would certainly have so decided after its utterance.

I shall vote for it now for other reasons than those given in my published statement; but without the acquisition of knowledge subsequently acquired by me, I should certainly vote for repeal on account of the reasons given by the President in his private letter to me and in his address to the Congress. And for so voting for such reasons, I have no apologies to make to any of my critics in Louisiana or elsewhere.

The question of exempting our coastwise ships from the payment of tolls was not, in my opinion, a question of principle, but of policy only.

Moreover, holding, as I then did, that the United States had the legal right under the treaty to exempt from the payment of tolls the ships of her citizens engaged in coastwise trade, I did not consider that the failure to insist on that right in any way abrogated it, for, as I expressed it in the published statement heretofore mentioned, "I recognize now, as I always did, the substantial difference between our right of exemption and our enforcement of that right," a concrete expression of a general principle applied first by myself on this floor to this special case and since applied to it in the debate by other Senators.

Holding such views, when the President assured me that in his judgment the repeal of the exemption clause was necessary for the continuance of our present friendly relations with foreign powers, and the consequent success of our foreign policies, I considered it was my public duty to the country and to him to assist him in the effort to bring about such a result.

It was not necessary that the President should go into details with me as to how the retention of this exemption clause might endanger our present friendly relation with foreign powers and the success of our foreign policies.

I did not ask for details, but claiming to possess at least ordinary comprehension, I could readily see that the feeling against us among other nations, due to their belief that we were discriminating against them through what they considered a perversion of the treaty on our part, might naturally lead them to discriminate against us in commercial relations that it was greatly to our interest to preserve in order that we could maintain and enhance if possible the opportunities of increasing the sales of our home products in the markets of those foreign nations, a matter of much greater importance to the general prosperity of our country than the matter of permitting a limited number of our citizens engaged in one industry to increase their profits through the tolls exemption.

And my position that the opinion of the President, that from motives of policy we should repeal the exemption, justified me in agreeing to his wish, is backed up by the opinion of ex-Senator J. B. Foraker, who appeared before the Inter-oceanic Canals Committee to speak against repeal, and who is considered by the friends of free tolls here as one of their star witnesses, who said to the committee:

It is a question of what our power is; and if President Wilson had said as good policy he thought we ought to repeal the exemption clause, I would not have felt like opposing it; I would have been satisfied with his judgment on the subject, in view of what he said. But when he put it on the ground that we did not have the power to do what had been done, that made it a different sort of a proposition.

In this connection I wish to deny most emphatically the statements made in the toll-exemption press, and also by Senators who should know better, that the President, in his address to the joint session of Congress, asked that the exemption clause be repealed because he considered it a violation of the treaty, and that he claimed we should accede to the English view whether it was right or wrong on our part to do so; and that Senators were weakly surrendering their convictions or opinions on the question because of the personal views of the President thereon; and these unjustifiable charges have been widely disseminated for the purpose of influencing senti-

ment against repeal and also for discrediting the administration.

As for the "right-or-wrong" proposition that has been harped on here and elsewhere, anyone who heard or will read the address, and who has an ordinary regard for his own intellectual perception, should be very careful about making such a loose statement as that the President said we should take this step whether it was "right or wrong."

The most ordinary mind can see that the point made by the President was that in view of the conditions previously mentioned by him we should reverse our action in the exemption matter without raising the question whether we were right or wrong in our interpreting the treaty as authorizing us to relieve our coastwise vessels from the payment of tolls.

As for asking that the clause be repealed because he thought it contravened the treaty, the President made no such request.

I have already said that in his private letter to me he expressly disclaimed the idea of asking me to change my view on that question because it differed from his own, and in his public address to the joint session, while frankly stating that in his opinion the exemption was not only a violation of the treaty but an economic error as well, he said in express language that he had not come to urge his personal views on the Congress, but asked that in support of the foreign policy of the administration we voluntarily withdraw from a position which was questioned by every foreign nation.

That was the ground on which he asked for the repeal, and that was the reason he gave for his request.

I repeat that it was a sufficient reason for me to be willing to accede to it, and I am not conscious that in so doing I was surrendering either my intelligence or my independence.

All this happened before the recent report of the House Committee on Merchant Marine and Fisheries on "Investigation of Shipping Combinations" had been brought to my attention and before the recent hearings of the Senate Inter-oceanic Canals Committee had been held.

This report and these hearings have completely changed my views on the moral and economic questions involved in the exemption from tolls of the ships of American citizens engaged in the coastwise trade, and I now believe that the President is right on both the legal or moral and on the economic side of this question.

I knew before, of course, that these vessels had under the law a complete monopoly of the great coastwise carrying trade of this country, and I knew that there was no Government regulation of their rates, as there is in the case of the railroads of the country; but I did not know before that, with reference now to the Atlantic and Gulf coastwise trade, it was practically a trust-controlled interest through private understandings between the vessel owners that could not be reached by law, and that practically no competition exists among them either as to territory served or rates charged, with the resultant effect that their charges are regulated not by the cost of operation but by the ability of the owners to make the traffic pay all it will bear, and that this is the rule followed by these coastwise shipping interests.

I know that in view of this showing, which places this coastwise shipping interest in a very unenviable light before the country, the advocates of tolls exemption for it would like to have it appear that this combination is due to railroad control of these ships, and either directly or indirectly they strive to convey that impression when alluding to it; but the report shows that only 54.5 per cent of the total number of steamers and 61.9 per cent of the tonnage is railroad owned, while the great proportion of the remainder belongs to shipping consolidations which have their private agreements as to rates and territory, and the small remainder to independent lines, which, however, rarely serve the same ports, so that competition is practically eliminated.

The same condition is shown to prevail on the Pacific coast, except that a greater proportion of the ships is owned by the shipping consolidations than by the railroads, and there is somewhat more of competition among the independent lines.

The coastwise shipping business of the country is shown to be in a most flourishing condition, declaring large dividends and with all the ships necessary to transact all the coastwise trade, which is of great extent.

This is the interest which, in addition to the monopoly it already enjoys, we are asked to subsidize to the extent of the tolls which it is proposed to donate them.

Subsidy is a word that rather grates on the sensibilities of many men of all present political parties in this country, though perhaps it is more obnoxious generally to those reared in the principles of the Democratic Party than to those who owe allegiance to other political parties; and it is not surprising

that the Democratic members of this body who are inclined to vote against repeal should balk at the idea of calling this toll remission to coastwise vessels a subsidy.

Yet it can not be denied that it is a subsidy for all practical purposes, and ex-President Taft says he approved of the measure because it was a subsidy, and two Senators, one from New Hampshire and the other from Massachusetts, one favoring the tolls-exemption law and the other opposing it, have in the recent debate on this question frankly claimed that it would be a subsidy, an economic policy, however, which each of them considers justifiable.

As for myself, I do not hesitate to say that the effect of remitting tolls to American coastwise vessels using the Panama Canal is to subsidize an existing trust-controlled monopoly.

Just as the report of the House Committee on Merchant Marine and Fisheries in the "Investigation of Shipping Combinations" changed my views on the economical aspect of this question, so has the recent testimony produced before the Senate Inter-oceanic Canals Committee changed my views on the moral or legal side of it, for they are combined.

The testimony, oral and written, of Mr. White and Mr. Choate, the first our chargé d'affaires at London and the second our ambassador there at the time of the negotiation of the second Hay-Pauncefote treaty, and who conducted it with the representatives of Great Britain, shows conclusively to any mind open to conviction that the understanding of both sides was that under the terms of the treaty the United States would not have the right to exempt any of the ships of her citizens, coastwise or foreign, from the payment of tolls if the ships of the citizens of other nations were made to pay them.

This point had already been brought out through letters of these gentlemen to Senator McCUMBER, written in response to letters of inquiry from himself, and were made public by being made a part of his great and illuminating speech, delivered in the Senate on the 6th April last; and these letters also declared that the words of the treaty, "all nations" and "equal terms," were understood to refer to the United States as well as to all other nations by every one of those, American or British, who had anything to do with its negotiation from its inception to its close.

Mr. White appeared in person before the committee and fully confirmed his written statement.

On account of a temporary illness Mr. Choate could not appear, but wrote that his position was clearly set forth in his letter to Senator McCUMBER and in a recent letter to Mr. White, which was filed; and in further corroboration of his position, by permission of the Department of State, he submitted copies of the entire correspondence between himself and Mr. Hay, our Secretary of State, giving full details of the negotiations from beginning to end.

This correspondence can be found in No. 6 of the committee hearings, and throws a flood of light on the situation.

If this knowledge had been in my possession when I advocated tolls exemption in the Senate in 1912, it would have been impossible for me to arrive at the conclusion I did, for the very course of reasoning that impelled me to arrive at that conclusion would necessarily have forced me to arrive at a diametrically opposite conclusion.

Moreover, the testimony before the committee shows conclusively that under our present laws it is entirely possible for discrimination to be practiced against other nations by exemption of American coastwise vessels from the payment of tolls, showing that the position of Great Britain on this question, as contained in the note of Mr. Innes to Mr. Knox—

If the trade should be so regulated as to make it certain that only bona fide coastwise traffic, which is reserved for United States vessels, would be benefited by this exemption, it may be that no objection could be taken. But it appears to my Government that it would be impossible to frame regulations which would prevent the exemption from resulting, in fact, in a preference to United States shipping, and consequently in an infraction of the treaty—

was well taken.

I have noticed that the advocates of free tolls have, with a rather reckless disregard for facts, always, when speaking of this statement, mentioned it as a direct acquiescence by Great Britain in our right to exempt our coastwise vessels from the payment of tolls, in spite of the fact that it is qualified by the words "may be," which they never mention except when obliged to do so in quoting the exact language; and then they invariably leave off the conclusion of the paragraph which states that the British Government thinks it would be impossible to frame such regulations.

I am, therefore, now convinced that we have not the moral right to grant this exemption, and would vote for repeal on that ground alone, but reiterate my previous statement that I could find ample justification for myself in voting for it on the

grounds mentioned by the President in his private letter to me and in his public address to the joint session of the Congress—the maintenance of the success of our present foreign policies which is dependent on the preservation of our present friendly relations with foreign powers.

If I understand the position of the advocates of free tolls for American coastwise ships, which seems, however, to shift as often as the necessities of their inherently weak and rapidly failing cause before the country requires new positions to be taken, their principal grounds of opposition to repeal are:

First. That the exemption does not violate the terms of the Hay-Pauncefote treaty, because the term "all nations" does not include the United States, but means "all other nations"; and even if it does include the United States, our coastwise ships would not be barred from the exemption of payment of tolls, because it would not operate as a "discrimination" against other nations, due to the fact that their ships are forbidden by law to engage in our coastwise trade.

Second. That owing to the change of conditions since the ratification of the Hay-Pauncefote treaty, at which time it was contemplated by the contracting parties that the Nicaraguan route would be used, and as we have built by the Panama route, having acquired the sovereignty by purchase, the provisions of the Hay-Pauncefote treaty do not apply, and we can use the canal without any limitations whatever.

Third. As we built the canal with our own money, we can do as we please with it.

Fourth. That tolls exemption will stimulate the growth of our merchant marine.

Fifth. That tolls exemption will enable the American vessels using the canal to compete successfully with the transcontinental railroads, which they can not do otherwise, and thereby freight rates will be lowered and the public get the benefit; and as a corollary to this, if you do not agree to tolls exemption, you are under railroad influence.

Sixth. That to repeal the present tolls-exemption provision would be a "cowardly act" and "an abject surrender" to the demand of a foreign power amounting to "national dishonor" and "dragging the flag in the dirt," and as a corollary to this, those who will so vote are not patriots, but "traitors."

I think this is a fairly comprehensive statement of the grounds used by the opponents of repeal in the public press and oral argument, which I shall now allude to in the order mentioned.

First. I have already said in this address that when I thought in 1912, with the lights then before me, that we could without violation of the treaty relieve our coastwise vessels it was on the ground solely, as I then stated, that it would not be a discrimination against other nations for the reason I mentioned, and that I did not attempt the feat of mental gymnastics involved in the assumption that the expression "all nations" meant "all other nations," and I now freely confess my inferiority in mental agility to those of my colleagues who hold that view; but, as I have also said, the recent letters and statements of Mr. White and Mr. Choate expressly declare that all the parties on both sides who negotiated the treaty understood at all times that the term "all nations" included the United States as well as other nations.

As to the question of no discrimination by the exemption of our coastwise vessels, I have stated that the evidence taken before the Senate committee very distinctly shows that such discrimination could exist.

Second. As to the question of change of conditions since the treaty and the abandonment of the contemplated Nicaraguan route for the present Panama route and our acquisition of sovereignty over the canal and the consequent abrogation of the Hay-Pauncefote treaty, it seems to me most strange that such a position can be gravely taken.

Those who heard or have read the evidence before the Senate Canals Committee in the shape of the letters sent by Ambassador Choate to Secretary Hay will see that the very contingency was suggested and provided for; that it was considered by the representatives of Great Britain that the United States might finally conclude to build through Panama and acquire territory for that purpose; but it was agreed that the words inserted in the treaty—

The construction of a ship canal to connect the Atlantic and Pacific Oceans by whatever route may be considered expedient—

covered the possible contingency.

Moreover, the treaty between the United States and Colombia to admit of our building a canal through Panama, entered into on January 22, 1903, distinctly provided in article 16:

The canal, when constructed, * * * shall be opened upon the terms provided for by section 1 of article 3 of, and in conformity

with, all the stipulations of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901—which was the Hay-Pauncefote treaty.

And the treaty with Panama entered into on the 18th of November, 1903, to permit of the building of the canal, in article 18 repeated verbatim the language of article 16 of the Colombian treaty just quoted; and yet some contend that now the provisions of the Hay-Pauncefote treaty have no application whatever to the management of the canal by the United States.

Third. I do not know how to answer the statement that as we built the canal with our own money we therefore have the right to do as we please with it, except by saying that, even if we did build it with our own money, we did so on certain conditions prescribed in advance in solemn treaty obligations.

Yet a great number of the people of this country who are not informed on the subject are influenced by this argument as those opponents of repeal who are better informed wish them to be influenced.

Fourth. If tolls exemption would really stimulate the growth of our merchant marine, the proposition would, in my judgment, be well worthy of consideration; but how will it stimulate it? It can not stimulate the growth of American vessels engaged in the foreign trade, because these ships that have to compete on most unequal terms with the ships of all other nations are denied the privilege of tolls exemption which is sought to be accorded to the ships of the coastwise trade that have no competition whatever with the ships of other nations, which are forbidden our coastwise trade.

If I could only see my way to give tolls exemption to our foreign ships without a violation of our treaty obligations, I might be willing to do so; but, with the lights that are now before me, I would never consent to giving tolls exemption to our coastwise ships.

All the vessels needed for our present coastwise commerce are now in use transporting that commerce; and, of course, if the business is increased, as it will be, by the use of the canal, all the vessels needed for the increased commerce will be forthcoming.

This is so because no other vessels can be used in that trade, and it stands to reason that as many boats will be used as found profitable to use; and, as no other ships can be used, it necessarily follows that the question of the imposition or non-imposition of tolls can cut no possible figure in the number of ships that will be built, that fact depending entirely on the amount of trade developed by the opening of the canal, though I admit that it might have some effect on the rates charged by these coastwise boats if their owners wished to regulate their freight charges solely by their operating expenses.

Fifth. The claim that tolls exemption is necessary to permit the coastwise ships to compete successfully with the trans-continental railroads or to make the railroads reduce their rates for coast-to-coast freight, which, of course, is the only freight that could be moved by the water route, is one that is greatly relied on to spread the tolls-exemption propaganda.

It is, however, more of an appeal to prejudice than to reason and when examined in the light of the evidence submitted is shown to be without merit; yet it largely answers the purpose of the advocates of tolls exemption.

The testimony submitted to the Senate committee establishes the fact that the all-water route for freight will be not only shorter in point of time but also about one-third cheaper, provided the rate is judged by operating expenses.

This establishes the fact that the railroads can not possibly compete with the boats on anything like even terms on this species of freight, but it by no means establishes the fact that the boats will charge in proportion to the expense of transportation.

On the contrary, the testimony of the Government experts indicates most strongly the fact that the boats will fix their rates just sufficiently below the railroad rates as to secure the traffic, and a small margin will do this.

In other words, that the boats will charge all the traffic will bear, just as they do now in the coastwise trade, through the Government monopoly that is given them and the shipping consolidations they have formed among themselves whereby competition among themselves has been eliminated.

The natural business idea with them will be to charge all they can get, just as they are doing now and just as the railroads did before they were placed under governmental supervision, and just as they would do again if that supervision was withdrawn.

But the freedom from payment of tolls will not make the boats charge less, for they will proceed on business principles to charge all they can get and will simply make as much more for their profit as the tolls cost would amount to.

That is the opinion of the experts, founded on most excellent reasoning, and it is almost certainly what will happen.

The experts seriously doubt if the railroads will lower their rates on coast-to-coast articles that would naturally go by water, but would let that go if necessary rather than disarrange their present organized freight rates everywhere, as would result from their lowering of the through rates.

And just as the qualified experts believe that no fewer boats will be built for the coastwise trade on account of the imposition of tolls, and no cheaper rates will be charged on account of their imposition, so do they believe that even if tolls are charged, the ultimate consumer would not have to pay more for the goods he bought, for the margin would be so small that it would be lost in the general distribution.

From no angle that can be seen by the experts does it appear that it will be to the interest of the great bulk of the people of this country to grant tolls exemption to these coastwise vessels, and there seems no sufficient reason for further enriching this monopoly at the expense of the remainder of the people, but every reason why they should pay their proportion of the expense of building and operating the canal.

But prejudice against railroads can generally be successfully invoked, and it is being used in this case for all it is worth.

I presume there is no doubt that when they had a free hand the railroads of the country charged exorbitant rates, but it should be remembered that for years they have not had that power.

They are bound hand and foot, as it were, by the various railroad commissions, interstate and State, and can neither of their volition raise rates to increase their profits or lower them to stifle competition.

I believe in the wisdom of Government supervision of railroads.

I was the chairman of the committee of the Louisiana constitutional convention of 1898 that reported favorably the ordinance creating the first railroad commission of Louisiana.

I said on the floor of that convention that in my judgment corporations that were given by the State such extraordinary privileges ought to be placed under State regulation. I have never changed that opinion, and I express it now on the floor of the United States Senate.

I believe that the men selected for commissioners of the Interstate Commerce Commission can be relied on to do justice as between the railroads and the people, not permitting the injury of the public by undue charges and not destroying the efficiency of the railroads, with whose prosperity the prosperity of the whole country is bound up, as was well said by President Wilson in a public address to the Congress, by forcing rates under which the railroads can not successfully operate.

But the old-time prejudice lingers, though the reason for it is removed, and, as I have said, the advocates of tolls exemption would like to have it appear to the country that the members of the American Congress who are opposed to such a law are dominated by railroad influence.

That might be expected of unscrupulous editors, but it should not be intimated on this floor without proof of the truth of the charge; yet as late as last Monday a Senator said in the debate on this question that—

No fear of or hope of reward from powerful railroad corporations
• • • will control my action.

This statement of negation, so far as he was concerned, is pregnant with an affirmation that the vote of other Senators on this question may be controlled by such influences; either that, or he said it with the idea that some Senators might, in consequence of this statement, be frightened off from voting against tolls exemption; but in either event it would indicate a lack of respect for his colleagues. I greatly regret that the Senator should have said this, all the more because it was not said in the heat of debate but written out deliberately in advance.

If the Senator knows of any of his colleagues who would so far forget his public duty that he is or could be influenced in his vote by any railroad influence—intrastate, interstate, or transcontinental—it is his duty to the Senate to make the fact known, so that the offending Member can be driven from the body he disgraces.

If he does not know if he should be more careful of his utterances, for we can not blame outsiders for making such charges against Senators if they are made or strongly implied by one of our own body.

I do not believe the Senator really thinks what his language indicates, but if he does he can not serve his free-tolls cause better than by giving the name or names.

The same Senator claims, as I understand, that a railroad lobby has been very much in evidence here lately working against tolls exemption.

I have seen none of these parties, nor have I heard of any of them; and if the Senator knows of this fact he should call it to the attention of the lobby investigating committee, and if he can prove his statement he will have again done good work for the tolls-exemption cause which he so ardently upholds.

The Senator says also that he knows of no shipowners who have asked for tolls exemption, and does anyone know they want tolls exemption?

Yes; it was testified before the House committee by Mr. Dearborn and others that they wanted it, but did not need it, and could get along without it.

It was testified to by them before the Senate committee in 1912 that they wanted it, and again before the same committee last month; but neither in 1912 or 1914 did a railroad representative appear before that committee protesting against tolls exemption.

The zeal of Senators for their cause should not betray them into making assertions the correctness of which can not be proved.

There is nothing disclosed by the record to prove that tolls exemption is necessary for the competition of coastwise vessels with the transcontinental railroads, or that it will cause the owners of such ships to lower their rates, or that the ultimate consumer will be benefited by tolls exemption, but very much to indicate the contrary.

So much for the transcontinental railroad hullabaloo, as I choose to call it, which will not or at least should not keep any Senator from voting on this question according to his honest convictions.

In connection with this branch of the subject, I will briefly allude to the claim made by the tolls-exemption advocates, that because on our interior rivers and canals improved by Government aid no tolls are charged our vessels, therefore none should be charged them in the Panama Canal.

I can only answer this by saying that, in my opinion, it is not possible to assimilate one of our interior rivers, carrying our interior commerce only, to a great international highway like the Panama Canal, which is really, for practical purposes, a part of the ocean, and which serves to carry the commerce of the world; and any such comparison, with all respect to those who think there is no difference in principle, seems to me to be grotesque, yet no one favors the improvement of our interior waterways more strongly than myself.

Sixth. This brings me to the last general ground of opposition to repeal, that which I may call the appeal to patriotism, one of the strongest emotions of our nature, and one that appeals to every true American; and if the premise laid down by the opponents of repeal were correct, their cause would meet with no opposition; but the trouble with the case is that their premise is not correct, but is wholly and unqualifiedly incorrect.

No American can truthfully be charged with a lack of patriotism or with a disregard of the national honor because he wishes the abolition of the tolls-exemption law; nor is it true that it would be a cowardly act or an abject surrender to the demand of a foreign power.

There is not a Senator in this body who does not know, even if he does not wish to admit it, that no sort of coercion has been threatened by any foreign power, and that none will be attempted if we refuse to repeal the tolls-exemption law.

Every one of them knows that all Great Britain has asked is a courteous request that we repeal the provision because she thinks it contravenes the treaty we made with her; or, if we are unwilling to do that, to submit the question to arbitration, as expressly provided in another treaty to cover such a disagreement.

Only this and nothing more; and every Senator knows that if we decline to accede to the request of Great Britain nothing more will be said, and the only danger we will have to fear is the danger of retaliatory commercial measures against us by the other great nations of the world and the feeling on their part that this country has not kept its pledged word.

It is idle to urge that England is the only nation that has objected to our action. England is the only nation that can formally object, for she is the only other signatory power to the Hay-Pauncefote treaty.

But all other nations are affected by our action and question our position, as the President said in his address to the joint session; and the fact that an isolated article may be found in a foreign law review or elsewhere indicating the opinion of the individual writer that our action does not violate the treaty can not change the fact that the world is against us on our interpretation of this question.

It is the rankest injustice to those who wish to repeal the law to charge them with lack of patriotism, and the rankest perversion of truth. I would not dream of charging anyone with conniving at national dishonor because he was unwilling to vote for repeal, believing that we had the right under the treaty to grant the exemption; but no such consideration has been shown for us who believe that the law should be repealed because we think it contravenes the treaty or is economically wrong.

The abuse and vituperation has been on their side, but I think they have seen that it was finally injuring their cause, and some of them are now declaring that we are the ones who have been hurling the abuse.

This is the case with the same Senator who spoke on 4th of May to whom I have previously alluded, who charged our side with applying offensive epithets and attributing dishonorable motives to our opponents.

Did he not see in the strongest journalistic opponent of repeal in this country, a paper sent, I think, to every Member of this body gratuitously since the tolls-exemption fight began, a column of its space headed "The Black List," and then saying these were the little presidential parasites who voted to abandon their country's rights, and that they had betrayed the Nation, and that it intended to keep these names before the public; and then followed the names of all the Representatives of all parties who had voted for repeal with black lines down their names, and at the bottom, in big black letters, the words "Turn the traitors out"?

I think all Senators saw it, but I hold it now in my hand for the inspection of any who have not seen it, and when the repeal bill has passed the Senate I presume we may expect to see the names of all Senators who voted for repeal placarded in a similar way.

There is nothing in the cry that patriotism requires us to vote against repeal, but it has served the purpose for which it was intended.

But the great body of the people of this country are being continually educated on this question, and they are not to be hoodwinked forever.

And if the fall elections go against the Democratic Party it will not be on account of the repeal of tolls exemption, but for other reasons.

The great independent press of the country is practically solid in its demand for repeal, and that is a good index of the general feeling.

The greatest papers of the Republican as well as Democratic Party are for repeal, for this is not a party question. A great majority of the people of the East and of the great Middle West are for repeal, and the South, which is supposed to so greatly profit by the operation of the canal, is practically solid for it.

Recently the resolution of a New Orleans meeting calling on the seaports of the Gulf and all the business interests of the South and of the Mississippi Valley to join in a united protest against repeal before the Senate Inter-oceanic Canals Committee on April 20 was filed with the committee, but not a single representative of a single business organization of a single Gulf or South Atlantic port, or any other portion of the South, except New Orleans, appeared for tolls exemption, while Pensacola appeared urging repeal; and surely the New Orleans delegation could not have been called by any resident of that city a representative business delegation.

New Orleans and the Pacific coast were in a class by themselves; and the burden of the cry of the Pacific coast people was that they wanted tolls exemption in order to better compete in the eastern markets with the lumber of the Gulf and South Atlantic States, which were thousands of miles nearer to that market than they were, thus wishing this Government aid to allow them to compete with other sections in defiance of the natural and economic laws that govern trade.

There is a stronger sentiment in Louisiana for tolls exemption than in any other Southern State, due to the extraordinary efforts of the New Orleans Association of Commerce, many people taking its assertions for proof, but the sentiment in Louisiana for repeal is very strong, and steadily growing stronger.

My days of public life will soon be over, and I do not desire to hold public office longer, and I go with pleasure to the retirement of private life, where I can enjoy the companionship of my family, of which, on account of my financial condition, I have been deprived during my official life in Washington; and I leave this great body without a single regret except that of severing the ties I have formed here with my brother Senators of all political parties, whose confidence, respect, and esteem, as evidenced by their steadfast treatment of me during my stay with them, will linger with me during the remainder of

my life as one of its most fragrant memories, and which has been more prized by me than the honor of being a United States Senator, as great as that honor is.

But if I wished to be a candidate for any office again before the people of Louisiana, I would not wish to go before them on any better issue than this repeal measure; for they are both honest and intelligent, and I am sure that when the question was fully and fairly presented to them they would ratify my course on it.

AGRICULTURAL APPROPRIATIONS.

Mr. WALSH. I ask now, Mr. President, unanimous consent that the pending bill be laid aside and that the Senate proceed to the consideration of the Agricultural appropriation bill.

The VICE PRESIDENT. In the absence of objection that action will be taken.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

The VICE PRESIDENT. The Secretary will state the pending amendment.

The SECRETARY. The pending amendment is the amendment of the Committee on Agriculture and Forestry which was passed over, on page 18, line 13, to strike out "\$80,580" and insert "\$180,580: *Provided*, That of the sum thus appropriated, \$100,000 shall be used for furnishing the primary markets in the cotton-growing States with a set of the samples as standardized by the Government, and a sample of the bleached and unbleached yarns made from the different grades, showing the waste, tensile strength, and bleaching quality thereof."

Mr. SMOOT. Mr. President, I have pending a point of order against this amendment, but I understand that the Senator from South Carolina [Mr. SMITH] was compelled to leave the city, and can not be here until Monday. I presume he desires to be here when that point of order is discussed, and therefore I ask the Senator who has the bill in charge if he is willing to let the amendment be passed over at this time?

Mr. GORE. Mr. President, I apprehend that we will not be able to finish the bill to-day. In that view I consent to this amendment going over, with the point of order, unless we should finish the other amendments to-day.

Mr. SMOOT. Of course the Senator understands that I do not make that request on my own account, but on account of the absence of the Senator from South Carolina.

Mr. GORE. I understand.

Mr. McCUMBER. Mr. President, I desire to say that the Senator from South Carolina before he left spoke to me and requested to have that matter passed over until he could return. The Senator from Indiana [Mr. KERN], I believe, is also absent, but will be here Monday. I hope that the whole matter may go over, because, following that same matter, I have an amendment that I wish to offer to the following paragraph, and I would rather have both of them taken up at that time.

The VICE PRESIDENT. Without objection, the amendment stated by the Secretary in the paragraph beginning in line 9, page 18, together with the two other amendments in that paragraph, will be passed over. The Secretary will state the next amendment passed over.

The SECRETARY. The next amendment of the Committee on Agriculture and Forestry which was passed over is on page 23, after line 3, to strike out:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, \$257,000. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packaging, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That

upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress, and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. KENYON. Mr. President, I should like to ask the chairman of the committee if the action of the committee restores the old custom of the congressional distribution of seeds?

Mr. GORE. Mr. President, the object of this amendment is to abolish and abandon the custom of congressional distribution of seeds.

Mr. KENYON. As the bill came from the House, then, it contained, as formerly, the provision for the congressional distribution of seeds?

Mr. GORE. Mr. President, the House bill carried an appropriation, I believe, of \$256,000 to continue the congressional distribution of seeds.

Mr. KENYON. And the committee proposes to strike that out?

Mr. GORE. When the bill was under consideration a year ago the Senate voted to strike that appropriation from the bill—voted to discontinue the practice of congressional distribution of seeds. It was out of deference to that expressed sentiment on the part of the Senate that the Committee on Agriculture and Forestry felt constrained to strike this provision from the bill.

Mr. KENYON. I think that the committee is to be commended for that action, and I hope in conference no action will be taken to restore the silly and useless custom of sending out seeds.

Mr. SMOOT. Mr. President, a year ago I voted to strike from the bill the provision for the purchase and distribution of valuable seeds. I simply wish to state that if good results ever came from the distribution of seeds, I think the policy of distributing them to-day in many States is doing more good than it ever has done before, for this reason: The seeds are now distributed to the school children in all of the States of the Union, particularly those of the Middle West and West. I know this is the case in my own State, and I know that this year has shown wonderful results from the distribution of seeds among the school children of my State. They are planted by the children of nearly all the homes, in flower gardens, back yards, and in little patches where vegetables are raised; and the children have become interested in that line of work.

If it were not for that fact, I never should have said a word at this time. I believe, however, that striking out this provision is going to interfere greatly with the splendid work which has been accomplished within the last year or two.

If the Senate still thinks it is proper that these seeds should not be distributed I shall not even ask for a record vote on the item, but I thought it my duty to call the attention of the Senate to this particular phase of the distribution of our seeds.

Mr. BRADY. Mr. President, I fully agree with what the Senator from Utah says relative to the benefits that lately have been derived from the distribution of both garden seeds and flower seeds. At the same time I do not believe sufficient benefit is derived to justify this large appropriation to be used in this way.

Of late years we have commenced work along lines of demonstrations on farms, and have made large appropriations for that purpose. In the West and South, and in many of the States in the North, we have organizations, with State agents and county agents, for the purpose of demonstrating what can be done in an agricultural way on the farms. In addition to that, we have organized a great many girls' and boys' clubs. That organization is growing greater and greater every day in my State. We commenced a little over a year ago with only a few members, and to-day we have 15,000 boys and girls in my State who are doing work in the boys' and girls' clubs.

I believe that instead of the Senators and Congressmen sending out these seeds it is better to have the distribution made directly from the Agricultural Department, and to have it done for the very splendid purpose that the Senator from Utah suggests—through the boys' and girls' clubs. Instead of making this large appropriation for promiscuous distribution, let us make a reasonable and fair appropriation for the girls' and boys' clubs of the different States and have the work done through them.

I have taken a special interest in this boys' and girls' club work in the United States, and I find that its benefits are very great and far-reaching. I hope before we finish this bill we will make some provision for the boys' and girls' clubs, especially of the Western States. Quite a number of States there have already made appropriations and in many ways raised funds to comply with the requirements of these bills, so that they can take advantage of any appropriation that we make here.

I believe the same purpose the Senator suggests can be reached through the boys' and girls' clubs and through the farm demonstration work, and that it will be more beneficial, for the reason that it will be done through channels that are well organized for that purpose.

Mr. JONES. Mr. President, I simply wish to say a word about this paragraph.

I hope the action of the committee in this case means the end of the congressional distribution of seeds; and I hope the conference committee, when appointed, will not recede from the amendment made here, or at least that it will not recede from it without coming back to the Senate so that the matter can have further consideration.

I do think, however, that the suggestion made by the Senator from Utah [Mr. Smoot] and by the Senator from Idaho [Mr. Brady] can be made a splendid basis for an agreement in conference and that they can take care of that proposition. I think the distribution of seeds along the lines suggested there would be a splendid line of work. I think it would really accomplish great benefit and would bring about splendid results.

I should be very glad, indeed, to see a liberal appropriation made for the distribution of seeds by the Department of Agriculture itself to schools and organizations such as those mentioned by the Senator from Idaho. That can be arranged and done well through the Department of Agriculture and will result in very great good.

I do hope, however, that the conference committee will at least do away with the congressional distribution of seeds and provide something along the lines suggested by the Senator from Utah and the Senator from Idaho.

Mr. SMOOT. Mr. President, I thought I had at my desk a number of petitions that I have received from high and district schools in my State and from students of many other schools in different parts of the State, asking that this distribution be continued. It was upon those petitions that I based the statement I made to the Senate a short time ago.

I am opposed to the present way of the distribution of seeds; but I heartily agree with the suggestion made by the Senator from Washington [Mr. Jones] that when the bill goes into conference, if possible, the conferees shall agree upon some kind of an appropriation—and I should like to see it a reasonable one—authorizing the distribution of rare seeds by the Secretary of Agriculture directly to all of the public schools of the United States that may request them. If that is done, it will result, I believe, in great benefit; and I believe the limitation on the distribution will prevent the abuse, as in the past, in the promiscuous and unwarranted distribution of seeds.

Mr. McCUMBER. Mr. President, there are few questions in this world that have not two sides. I think something may be said in favor of the custom that has prevailed, and I think some criticism may be made of the custom that the Senator from Utah [Mr. Smoot] and the Senator from Washington [Mr. Jones] now seek to have prevail in the future.

I do not know whether or not the country has received a value equivalent to the expenditure involved in sending out these seeds. We have no method of telling whether or not we have received such value. I know one thing, however, and that is that I can take any kind of a cereal or any kind of a vegetable seed from one section of the country and plant it in another section of the country, and, as stated here by the Senator from Mississippi the other day, you always get better results in your crops, at least for a few years. If you raise the same crop from the same seed in the same section of the country, it is found to deteriorate in a short time. So this constant shifting of seeds from one section of the country to another has been most beneficial in its results.

Most of the correspondence I get from my own home State is not from the public schools in the little towns and cities.

It is from the children, the boys and the girls, and the parents out in the country. They do not belong to any high-school association in the city. They have no association whatever; but they will write me that the lettuce I sent them last year worked very finely; that it was splendid, and so much better than any they had ever had before; and they will write me the same kind of letters about other things they have tried.

It may be that only a few of these people get any benefit from this distribution; but I do know that you will not get much benefit away out in the country from providing the schools in the towns with seeds to plant in their back yards and having them try to raise crops at those places. The great agricultural population of the country that will use the seeds is in the country, and those people have no organization of that kind.

I conscientiously believe that the transfer of seeds through this system has given us a value in the whole United States considerably in excess of the cost to the Government. While it may be subject to criticism in the matter of buying seeds that have not proven to be good, and so on, the general result has been beneficial. We are spending millions upon millions of dollars of the Government's funds that are not doing as much good as the distribution of these seeds is doing.

Mr. WEEKS. Mr. President, I desire to congratulate the Committee on Agriculture and Forestry for the course it has taken in leaving out of the pending bill the appropriation for seeds.

When the Senator from North Dakota [Mr. McCumber] commenced his remarks just now by saying that most questions have two sides, I supposed he was going to take the other side of this question. In my judgment, there never has been any excuse for the Government furnishing common, everyday garden seeds, purchasable anywhere, to the people of the country under the methods which have been followed for the last 20 years.

I do not know any agricultural community that is not opposed to following the system which has been in vogue. If the secretaries of Senators and Congressmen had devoted to some useful occupation the time which they have devoted to sending out seeds in the past, in my judgment, they would have earned more than enough money to purchase the seeds which the Government has bought and has been distributing gratis to the people of the country.

I hope the Committee on Agriculture and Forestry will not be influenced by the suggestion which has been made by the Senator from Utah [Mr. Smoot], seconded by other Senators here. They should insist on cutting out this whole appropriation at this time. There is no more reason why we should furnish seeds to high schools or to the children attending high schools because they use them in making gardens, than there is for our furnishing pianos to high schools or furnishing any other instruments or any other methods of development which are used in connection with the high schools of the country. If they desire to make gardens, the local appropriations should provide seeds for that purpose. By an appropriation of \$50 the State of Utah could buy probably all the seeds that would be necessary for the purpose which the Senator from Utah has instanced.

I sincerely hope the Committee on Agriculture and Forestry will not be influenced by such suggestions, but that we will cut out now this distribution of seeds, which has been denounced and scoffed at and laughed at by the country as long as I can remember.

Mr. SHAFROTH. Mr. President, inasmuch as I think I was the only member of the Committee on Agriculture and Forestry who voted against striking out this provision, I wish to say a word with relation to it.

I have examined to some extent the effect of the distribution of seeds. I fully concur in what the Senator from North Dakota [Mr. McCumber] said with relation to the distribution of even ordinary seeds from one part of the country to the other. The results have been enormous; and it seems to me any person who has looked into the question must recognize the fact that great results have come about. Seeds from the East, when transplanted into the West, often produce a great development, even common seeds. There is no better illustration that I know of than the distribution in my State of common, ordinary cantaloupe seeds, which have produced the luscious cantaloupes known as the Rocky Ford cantaloupes. That was due simply to transplanting in a different soil. This matter of taking seed from one part of the country and transplanting it, under different conditions, in another part of the country has produced enormous benefit in the development of plants and in the development of grain.

No better development would occur, perhaps, than in the case of fruits. We all know that the peach tree has risen from what

was almost a little weed, regarded as a poisonous plant, and which on account of its bitter taste was regarded as not good for anything, yet by reason of the fact that it has been transplanted and cultivated there have grown up over 500 different varieties of the most luscious fruit in the world. That has come about to a large extent by reason of transplanting seeds from one portion of the country and from one portion of the world to another. When we produce such results we can not help but think there is some benefit, at least, in the distribution.

Take the apple. The apple rose from what? The wild crab. That is what it was, and nothing else, simply growing wild; yet by reason of cultivation, and by reason of transplanting, there have grown to be over 3,500 different varieties of apples. That has come about by reason of the distribution of seeds and by transplanting seeds from one portion of the country, under certain conditions of climate, to another portion. When we consider this bagatelle of an appropriation as compared with what we appropriate in many other ways, it seems to me it is a wise appropriation and a wise policy which has been pursued by the Government for many years.

I believe transplanting the ordinary cereal from a country that raises cereals under conditions of ordinary rainfall into a country where, by reason of irrigation, there has been great development in grain, is producing wonderful benefits in the way of an immense change even in the varieties and even in the size and even in the character of the product itself.

Something has been said about a political distribution of seeds. I do not suppose there is a Senator here who ever treats the distribution of seeds as a matter of politics. The rule is that we get a list from the postmaster. We ask the postmaster to give a list of farmers in the community, and no one ever regards the question whether he is a Democrat or whether he is a Republican. The object of sending the seeds is to give them to people who want them, and the result has been that it is generally regarded as something of benefit to the person to whom they are sent, and he generally receives them with thanks.

There is one feature that I do not like about it, and that is the fact that it puts Senators to a great deal of trouble. That is true, but nevertheless it seems to me that it is worth what it costs in the way of trouble.

I am, perhaps, the only one who voted to retain this provision in the bill, and I hope it will be retained. I believe the sentiment of the Senate is almost unanimous against it, but I believe that the House of Representatives will retain it. There are good reasons and good grounds in my judgment for retaining it.

Mr. MARTINE of New Jersey. Mr. President, I sincerely trust that the provision may not be stricken out. I have seen the benefit of seed distribution. I know it is a common saying that the seeds are good for nothing; and I had some one tell me that if swept off an old haymow and sent out they would prove to be just as good fertile seeds. Yet the fact is that the large consensus of opinion among those to whom I have sent seeds has been the other way; they have expressed themselves to me as very favorable to the fruition of the seeds so distributed.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14335) to amend section 5 of "An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation of the Canal Zone," approved August 24, 1912.

Mr. JONES. The Senator from New York [Mr. O'GORMAN] advised me that he will be away for the day, and he requested me to ask that the unfinished business might be temporarily laid aside when it was laid before the Senate in its regular order.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. GORE. I ask that the Senate may proceed with the consideration of the Agricultural appropriation bill.

The VICE PRESIDENT. Without further formality, the appropriation bill is before the Senate.

Mr. MARTINE of New Jersey. May I be permitted to continue the few remarks I rose to make?

The VICE PRESIDENT. The Senator from New Jersey has the floor, and he will proceed.

Mr. MARTINE of New Jersey. Reference has been made laughingly to the fact that seeds have been sent to school children. That, in my judgment, is one of the best features of the bill. I have sent seeds to school children—scores of packages—and to the principals of schools, and I have received from the principals of schools letters stating that the seeds had in-

culcated a habit and a desire to nurture plants and plant life that had been infinitely valuable to the children.

I want to say as to myself that 20 or 25 years ago I received a half pint of wheat. I can not now recall from whom I received it, but I took a little patch in my garden and planted it in drills, and the fruition was great. I sowed that and kept on multiplying it until I had raised over 200 bushels of wheat that was of an entirely new variety and seemed to resist rust and was fruitful and rich in its production. I spread that quite widely. I sold it to my farmer neighbors and friends. Each one of them in turn bore testimony as to the value of the seed.

To say that there is no value and that naught comes from it except a little political favor that may come to the man who sends it is too narrow a position. We squander many millions in directions that are unwise and improvident, and I do say it is a verification of the saying that "he who makes two blades of grass grow where one grew before is a benefactor of the human race."

In heaven's name I appeal to the Senator from Massachusetts [Mr. WELLES] to change his tack and rather urge the planting of garden seed as well as farm and field seed. Senators, we vote millions of money for purposes that will never bring a tithe of the blessings to our land this distribution of seeds and plants brings to this fair land.

Mr. GALLINGER. Mr. President, at a former time when this subject was before the Senate I took occasion to voice my opposition to a proposal similar to that which is before us to-day. I think this is a bad place to commence economy. The appropriation is a bagatelle compared to the appropriations that we make for almost every conceivable object in our legislation.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER (Mr. NORRIS in the chair). Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I yield to the Senator.

Mr. THOMAS. The Senator from New Hampshire has stated that this is a bad place in which to commence economy, and I do not know but that he is right. However, I wish some one—and the Senator has been here longer than any of us—would tell me just where the right place is for the commencement of economy. I have been trying to find it ever since I have been here, and it has been impossible so far to place it anywhere, except in the barber shop and one or two other places of similar national importance, and in the bathroom, as is suggested to me. I have not yet discovered the point where we can economize. Sometimes when we feel very poor we offer an amendment to cut down the salary of some official a few hundred dollars, or something of that sort, and also to arrange for doing away with the expense consequent upon the official telegrams of Senators. Of course, we can not commence with the battleships, because the Armor Plate Trust is behind that; we can not start with the river and harbor bill, because there are so many interested in those matters.

Mr. WARREN. Will the Senator allow me?

Mr. GALLINGER. I must not lose the floor.

Mr. THOMAS. I would be glad if the Senator could inform me where I can begin. I will quit opposing these other matters and concentrate all my energies at the point of attack.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Wyoming?

Mr. GALLINGER. I yield to the Senator.

Mr. WARREN. I simply wish to suggest that we have already commenced. We no longer are to have nailbrushes, hairbrushes, or pure water for our committee rooms, or sufficient towels and sundry items in the barber shop, or the little items of supply such as medicines, remedies, and appliances for first aid to the sick and injured as we used to have. Think of the great saving, the great economy, effected in this way.

Mr. THOMAS. I have referred to that. I have wanted to economize as much as I could ever since I have been here. I think that we have set before us a good example now. I wish to know where we should begin in earnest to do something.

Mr. GALLINGER. Recalling the declaration in the Democratic national platform in favor of economy—

Mr. THOMAS. I recall that.

Mr. GALLINGER. Recalling that, I sympathize with the Senator from Colorado and his party in this matter. I think I can point out some directions in which economy might more properly be practiced, but which has apparently been overlooked.

I have forgotten how the Senator himself voted on an appropriation of \$40,000,000 or thereabouts for the Government to build a railroad in Alaska. I voted against it, because I do

not believe the Government ought to engage in that kind of business.

Mr. THOMAS. I voted for it. I thought it would be better for the Government to build a railroad than to give \$40,000,000 to corporations up there, and I have no apology to make for that vote. Besides, I voted for a bond issue and not for an appropriation, as the bill came from the House.

Mr. GALLINGER. I have noticed, if I cared to take the time to enumerate them, various other matters in various other directions in which some degree of economy might have been practiced; but I am not going to enter upon that, because the Democratic Party is in power and they are responsible for the legislation. The Democratic Party can legislate on this matter of economy as it sees proper. Even though everyone of us on this side should oppose an effort to economize in governmental expenditures, the Senators on the other side can vote us down, and either become economical or extravagant as they see proper.

Therefore, Mr. President, I say that while I sympathize to a large degree with the desires of my Democratic friends to practice perhaps unreasonable economy even, I think this is a bad place to commence it. There is a little annoyance to all of us in sending out so-called congressional seeds, though it never has disturbed me very much from that point of view. I have distributed the seeds during my somewhat protracted term of service without reference to whether they went to Democrats or Republicans. Every package that was my due has been sent out, and it has reached some farmer in New Hampshire, not an agricultural State in the broad sense of the term, and has resulted, as I have observed, in very much good to the people.

It is true, as has been suggested, that the farmer can write to a man or a corporation engaged in the raising of seeds, and for 5 or 10 cents get a package or two, but the farmer does not write many letters, and the farmer does not get the seeds unless he receives them under the existing condition of things. So far as I have observed, this small appropriation—because it is but a moiety as compared with the appropriations that we are making all along the line—has resulted in better gardens for the people and in the entertainment of the children, who take an interest in the cultivation of flowers and of vegetables. That fact to my mind absolutely outweighs the appropriations for this purpose which we have heretofore made, and which the House placed in the bill as it came to the Senate.

I know, Mr. President, it is fashionable for the great newspapers of the country to scoff at this matter, as the Senator from Massachusetts [Mr. WEEKS] has suggested. I know that gentlemen representing great cities have very little interest in this matter comparatively. But I know, on the other hand, so far as my section of the country is concerned, and as I said before it is not an agricultural region in the broad sense, the people take a very great interest in this matter, and, in my judgment, if they had an opportunity, they would not permit this provision to be stricken from the bill.

Mr. President, I presume I am in the minority in the Senate on this question. I have been in the minority heretofore; but I want to voice my own convictions that this is a proper appropriation, that it is a wise appropriation, and I trust the suggestion which has been made by other Senators that if the provision is stricken from the bill it shall be insisted upon by the conferees on the part of the Senate may not control the committee on conference.

I can go through this bill, Mr. President, and point out appropriation after appropriation that is far less worthy than this provision. I can go through other bills that will come before us for consideration and point out where millions upon millions of dollars of the public funds are wasted in the interest of other projects than agriculture, that we might well give very careful consideration to.

Let us, Mr. President, scan carefully the river and harbor bill, which will soon be before us for consideration. Let us ask ourselves honestly whether or not many of the appropriations are wise that are in that bill. Let us ask ourselves whether a million dollars, more or less, should be appropriated for a river that might better have been improved for an automobile course, or, as a gentleman in another body suggested, might better have been insured against fire than to undertake to put water enough in it to float craft that will be of service in the commerce of the country. Let us go through all the bills that will come here; and if we really want to economize, let us economize in those matters rather than strike down this little appropriation, which, whatever may be said to the contrary, is of interest and value to the farmers of the United States.

I am not going to pose, Mr. President, as an economist, because my views are very liberal as to appropriations that concern the people of the country generally; but I do want to register my protest against a proposition that, in my judgment,

strikes a blow at the interests of the farmers of this country, and which deprives the boys and girls who are interested in raising vegetables and flowers in the little patches around their homes of a great pleasure. I never shall agree to the proposition that this is an appropriation that ought to be stricken out, either here or elsewhere, or that it is doing any harm to the people of the United States.

Mr. President, I will express the hope, which I fear will not be gratified, that the Senate will not agree to striking out this appropriation; but, however that may be, I want the privilege as one Member of this body of recording my vote against striking it out.

Mr. BURTON. Mr. President, the original idea which prompted seed distribution among the farmers was the circulation of seeds and plants imported from other countries which had not come into use and the development of which might be of material benefit to the farmer and to the country at large. In view of the fact that agriculture was crude in its beginnings in this country and the desirability of a diversity of products, Mr. Jefferson at an early date advocated this seed distribution. That reason does not now exist. The reason having ceased, the policy should cease.

The custom in vogue is to purchase seeds which are available at any seed store and distribute them among the farmers indiscriminately, without knowing what their preferences are and without knowing whether they desire them or not. The question is raised, Who is the best judge to decide whether seeds will be useful, the farmer who is to plant them or the Congressman who is to send them out from Washington?

Mr. WARREN. Mr. President, may I interrupt the Senator?

Mr. BURTON. Yes.

Mr. WARREN. I know the Senator wants to be right, and he is right as to a part of the apportionment of seeds; but a large amount of this money is expended in the direction the Senator first indicated, in obtaining seeds from abroad and distributing them in this country—for instance, from a country where there is dry farming, in taking dry-land seeds and sending them to a section of this country where dry farming may be productive and remunerative. In effect, it is to get the seeds by exchange or purchase and send them out to farmers and gardeners where needed.

Mr. KENYON. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. BURTON. I do.

Mr. KENYON. I wish to suggest, in reply to the suggestion of the Senator from Wyoming, that this particular provision stricken out by the committee does not cover the point he suggests. On page 22 provisions are made that are untouched by the committee for the distribution of rare and valuable seeds from foreign countries—grasses and alfalfa—and an appropriation of about \$200,000 is made therefor.

Mr. WARREN. The Senator corrected me, and I will correct him in return. There has been a large proportion of the general fund, to which he alludes, used for rare seeds, but it was believed that there was not enough of it used for certain dry-land seeds, as was the case in the last Agricultural appropriation bill, and we have provided an additional amount.

Mr. KENYON. That may be true.

Mr. WARREN. A quantity of this general appropriation may be used in the manner I have indicated.

Mr. KENYON. But there is an appropriation for the purchase of rare and valuable seeds abroad.

Mr. WARREN. A small one.

Mr. KENYON. That the amount is not sufficient is the Senator's objection?

Mr. WARREN. It is not sufficient.

Mr. BURTON. Mr. President, the conditions in that regard are altogether different now from what they were when the policy of seed distribution was first adopted. Then it was difficult for the farmer in a region where special qualities of seed were required to obtain what was needed. Now every farmer subscribes for an agricultural journal, and the Agricultural Department, which is like a great university, sends out bulletins showing the qualities of soil which are adapted to particular seeds, and showing what kind of seeds and what plants should be used in the different localities. For instance, wheat suitable for macaroni is discovered abroad. It is brought into this country and is sold in the localities in which it can be used. Thus all the reasons which have afforded arguments for the purchase of these seeds by the Government and their distribution have practically ceased to exist.

This distribution has too much the appearance of petty graft. I am always very doubtful of any appropriation which has a multitude of beneficiaries. I am always afraid of any benefit

which may be conferred upon a large number for which they have nothing to pay. You can not lay the blame upon the farmers for this appropriation, for I do not believe any considerable number of farmers desire this seed distribution.

I have through many years distributed my quota. I have sent out letters in many instances accompanying the package, and I have no doubt received quite a number of responses; but I fail to find any enthusiasm for these seeds or any strong desire to receive them. Indeed, in view of the long time in which the custom has been in vogue, it is quite surprising that requests are so few.

I regard this distribution, Mr. President, as useless, as in a measure demoralizing, and for this reason I shall vote to sustain the action of the Senate committee.

Mr. WEST. Mr. President, I have been entertained somewhat by the Senator from Colorado [Mr. SHAFROTH] and other Senators giving their experience. What I know in connection with the seed distribution is not very favorable. Now and then the seeds we get in the extreme southern part of this country, say in south Georgia, do very well, but generally they are a failure. For instance, if we get corn from the far West and plant it in the same field, with the character of the soil the same, with corn that has been acclimated, and plant it at the same time, it is an absolute failure.

I know, too, the circumstances that used to exist before the war among the farmers in South Carolina. It was the custom there for one farmer in a remote section of the State to load a carload of seed and send it to another farmer in another section of the State, and he in turn would load a car back, and just exchange seed in the different sections; and they said it brought about a great improvement in the cotton seed. All this was confined to a State; but my experience is that where the sections are very far removed it is not profitable to plant the seed from a remote section.

Mr. GALLINGER. Mr. President, I suggest to the Senator from Georgia that the complaint he makes might well be submitted to the Secretary of Agriculture, who in this provision that is proposed to be stricken out is required to furnish seed adapted to each locality in the country.

Mr. McCUMBER. Mr. President, in answer to the suggestion made by the Senator from Georgia [Mr. West], I wish to say that it is one of the most customary things in the agricultural world to exchange seed of the same kind. About every four or five years in my State we will send over to Canada and get exactly the same kind of wheat, but raised in a different section, and for a few years at least it will produce a better yield. I have had in my State this year a demand for alfalfa which has been grown by the Government. The most I could get for any one farmer was 20 pounds. I could have used in my State, having demand enough to absorb it, the entire quantity available for the entire United States.

Mr. WEST. Will the Senator from North Dakota yield for an interruption?

Mr. McCUMBER. Certainly.

Mr. WEST. Where you get wheat in North Dakota from Canada, the climatic conditions are about the same, are they not?

Mr. McCUMBER. No.

Mr. WEST. And the soil conditions?

Mr. McCUMBER. Not necessarily. As a rule, for instance, if in a dry section we would like that which was also raised more or less in a dry section of Canada. But the point I want to make is that the change in the climate of a grain for a few years is always beneficial. It is, as the Senator from Mississippi [Mr. WILLIAMS] indicated the other day, the same as was the effect of bringing rabbits from England into Australia, where they increased in such enormous quantities; and so it is with certain fruits, as was indicated by the Senator from Colorado [Mr. SHAFROTH] in regard to melons. They brought to Colorado from different sections of the country the same kind of seed, and they have produced there, and for years will produce, even better melons than were produced where they were grown before. I am a great believer in changing the locality of the same seed; and by this method of seed distribution we are securing that result to some extent.

Mr. WEST. Mr. President, I illustrated that in the case from South Carolina in the exchange of cotton seed; but so far as I have been able to ascertain, in my section, where we have gotten corn from the West and planted it in the southern part of Georgia, it does not do well.

Mr. McCUMBER. Whether the distribution is through the Agricultural Department or otherwise, I know that practically all kinds of vegetables raised in my State, if we were able to grade them, raised 20 years ago have increased in character 20 per cent, or 50 per cent, probably, or over. Take the lettuce that

we used to raise. It was nothing but a little green leaf. It is now crisp, and there is much more in a single head. All that has been developed in the Agricultural Department; and that is now the lettuce seed that is being sent all over the country. We can take every kind of vegetable and follow it up, and we find that that which is raised now is generally very much superior to that which was raised 15 or 20 years ago.

Mr. SHAFROTH. Mr. President, I should like to suggest to the Senator, in relation to his reference to what I said that not only the planting of ordinary seed produced a great development in the line of product, such as the Rockyford cantaloupe, but when that melon is grown and the seed sent back to other portions of the country it produces a superior melon, better than could ever have been produced by simply having it raised in that locality. The mere selection of something that is produced that is better will make the farmer and make any person planting seed retain it for replanting. If it turns out to be bad, of course it will be discarded. The experiment will prove beneficial, notwithstanding it was a loss; but the fact is the farmer naturally, when he finds he has produced a superior product from a seed, retains that seed, and it is used for planting in their own particular localities.

Mr. McCUMBER. I think the Senator is right. I might carry the wheat illustration just a little further. I could take blue-stem wheat, for instance, from Canada, bring it down into my State, and grow it side by side with blue stem that I have been raising in the State for 5 or 10 years and produce a better crop with the same cultivation and the same rainfall. After a few years the seed will not produce any better crop. I can take that same seed again that I have used for a few years, transplant it back to Canada, and it will produce a better crop in Canada than the grain that has been raised there a few years. That is only one illustration, and I might give hundreds, where transporting seeds from different sections of the country is most beneficial.

Mr. WEST. Mr. President, I do not at all doubt the contention which the Senator from North Dakota makes. You can improve grain and seeds of every kind at home. Take cotton. If you select the best bolls on the best stalks, year in and year out, you can improve your own cotton. It is the same way with grain. Where the climatic conditions are the same, or where the soil is somewhat of a like character, I have not the least doubt that in transplanting these seeds and in transferring them from one section to another there is great benefit; but I do know—and I speak from experience from the use of a great many of the seeds that are sent out—that they do not do well in the South. Where they came from I do not know, but I have planted corn which I knew was transported from the West to the South which would not produce on land in the southern part of Georgia.

Mr. CHILTON. Mr. President, I rise principally for the purpose of encouraging the Senator from New Hampshire [Mr. GALLINGER]. I am thoroughly in sympathy with him, and I hate to see him give up a battle before it has fairly begun. I think the Senator is mistaken as to the feeling on this side of the Chamber, and if he will just show somewhat of his usual spirit in starting into a battle of this kind I think he will find reinforcements over here, which will please him when the final vote shall be taken.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. CHILTON. With pleasure.

Mr. GALLINGER. I am not in the habit of giving up a fight until I am beaten; but from certain utterances that have been made I was rather of the opinion that I was in the minority. I did intimate that I should ask for the yeas and nays on this amendment, and I shall do so, because I wish to go on record myself. I am extremely gratified at the encouraging words uttered by the Senator from West Virginia, and I now revise the view I expressed, and say that I am of the opinion that we can beat the committee and retain this provision in the bill.

Mr. CHILTON. Mr. President, I listened to the argument when this matter was up in the Senate on a former occasion, and I have given careful attention to the argument to-day. After all that has been said in reference to the situation, it is about this: Immediately preceding this appropriation is an item, "In all, for general expenses, \$2,688,455." It is quite a discriminating mind that can take all of the items which comprise that large sum and distinguish all of them in principle from this small item of \$257,000. The only difference is that one has precedent and age and experience behind it, and there has not been any sufficient evidence of the failure of this experience, in my judgment, up to the present time to justify the

Senate in changing the well-established rule in making these appropriations.

What does this appropriation amount to? It amounts to less than half a cent per family in the United States. We are going to take the chance of injuring the farmers, injuring a lot of poor people, injuring those who are dependent upon the Government and have become dependent upon the Government for this little help, for this encouragement; we are going to take that chance when it amounts really to less than one-half a cent to a family in the whole United States.

What is the ground on which we are doing it? The ground is that the Secretary of Agriculture is better able, is more capable, of reaching the people of the United States than are Senators and Representatives. It is a ridiculous proposition, and its mere statement shows it to be such. We all know, in fact, that it can not be true. I have long ago passed up the argument as not really worthy of being mentioned on this floor that there is any graft in this; that any Senator or Representative would seriously rely upon the distribution of seeds to help him in his race for the House of Representatives or the Senate. We all know that every Senator and every Representative pays no attention to politics in the distribution of seeds.

It is likewise untrue, Mr. President, that the people are not interested in this question of distribution. Beginning in the early spring—so has been my experience—my people write to me. The poor man out on the hillside writes to me to make a selection of seeds for him; he wants them, and relies upon them. Neither do we take the postmaster's list of those to whom we shall send seeds; we can find in every neighborhood plenty of people who want the seeds, who will experiment with them, and who rely upon getting them in a sufficient amount to exhaust the supply of each Senator and Representative.

What is the real ground against this distribution of seeds? The only reason I have heard urged against it is that the seeds are no account; in other words, we are going to stop a great humanitarian experiment that we are making, so to speak, simply because the Government can not get good seeds. The Government can get good seeds if it will try; if it will exhaust all of its resources it can get just as good seeds as can the individuals who make a business of selling seeds to the people. We can not plead our incompetence; we can not plead the ignorance of the Department of Agriculture or of any other department of this Government as a reason why we should stop now, after twenty-odd years of experiment, this plan of distributing seeds to the people.

Mr. President, it does seem to me that we are commencing our work of economy at the wrong end. I do not believe that the Senate of the United States is going to make this experiment, certainly not for the reasons that have been urged upon this floor or upon any other occasion, that I am aware of.

Mr. GORE. Mr. President, I think I ought to say that the pending bill carries an appropriation of \$166,500 for the purchase, propagation, testing, and distribution of new and rare seeds. It also carries an appropriation of \$74,600 for the investigation, introduction, and distribution of foreign plants and seeds. The pending amendment is leveled at seeds which would be considered as neither rare nor valuable.

Mr. CHILTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from West Virginia?

Mr. GORE. I yield.

Mr. CHILTON. The Senator from Oklahoma is mistaken in his statement. I have looked at the provision, and what I said was not said carelessly. If the Senator will look on page 22, he will find these words:

For the purchase, propagation, testing, and distribution of new and rare seeds—

That is not all; the provision does not stop there, but continues—

and for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, \$166,500.

Then there is this proviso:

Provided, That of this amount not to exceed \$100,000 may be used for the purchase and distribution of such new and rare seeds.

Grasses, alfalfa, clover, and forage crops are not rare, and could not hide behind the words, "new and rare seeds."

Mr. GORE. They are not rare and valuable seeds.

Mr. CHILTON. They are not. In other words, by adopting the amendment we would be making a discrimination, and we could not justify the appropriation of \$166,500 on the ground that it is, as the Senator from Ohio said, for experimenting as to "rare seeds," and cut out the \$257,000 on the argument that the latter can be thus distinguished. I deny that there is any politics or thought of politics in my position. There has not been presented any sufficient reason for changing our present system

of distributing seeds. I am not willing, for the reasons given, to deprive my people of what I conceive to be a substantial benefit.

Mr. GORE. Mr. President, under the language of the bill \$66,500 is supposed to be used for administrative purposes and for the testing and experimentation with these plants, and \$100,000 would be directly available for the distribution of the seeds. A policy of that sort might get us somewhere; it might lead to the introduction and dissemination of seeds that would be really valuable, but the seeds which are purchased and distributed under the clause which is proposed to be stricken out by the pending amendment, are neither rare nor valuable. They get us nowhere; they have to be distributed each and every year. That was the feeling of the committee in regard to the appropriation.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. GORE. I yield.

Mr. POMERENE. The Senator from Oklahoma has just stated that the seeds provided for in the clause which it is sought to strike out were neither rare nor valuable. The language of the bill is for the purchase—

Mr. GORE. I am aware of the language of the bill, but I was stating the practice which usually prevails. It is true that each Senator can commute these seeds and get any particular kind of seeds he desires; but in small quantities it is not really worth while or worthy of attention to do so.

Mr. POMERENE. What I desired to call attention to was the fact that the language is "valuable seeds."

Mr. GORE. Yes, sir. Of course, I did not mean to state that they were absolutely valueless, but I intended to use the expression in the larger sense of scientific or improved agriculture or horticulture. Of course, seeds cost a little something, and anything that costs anything has value in a technical sense; but I may say that the real motive which actuated the committee was this. The Senate by an overwhelming majority last year decided to cut out this appropriation from the agricultural appropriation bill. I believe the sentiment was so overwhelming that the yeas and nays were not even demanded. The committee felt that it ought to be governed by that authoritative expression of the sense of the Senate. We also indulged the illusory hope that by striking out this provision in committee we should avoid a protracted, if not an illuminating, discussion upon this subject.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

Mr. GALLINGER. I ask for the yeas and nays, Mr. President.

Mr. GRONNA. Mr. President, I do not oppose the proposition of striking out the paragraph so far as it relates to common garden seeds. I believe that it is an expensive proposition not only in furnishing the seeds, but it is burdening the mails; it is costing the Government of the United States a great amount of money not only for the purchase of the seeds, but to carry the seeds in the mails.

I am a firm believer in the appropriation of a sum of money sufficient to permit the Agricultural Department to experiment with rare seeds, and after that department has made those experiments, to have a sufficient amount of money to distribute them over the United States. I do not believe, however, that we should insist upon the continuance of this old custom of sending out common garden seeds.

It is true, especially is it true in the newer States, that settlers on the public lands, for instance, appreciate a package of garden seed. Many of them in the western part of my State, or where the settlements have recently been made, write me for garden seed; but I can see no good reason why we should appropriate hundreds of thousands of dollars simply because a few people are anxious to get common garden seed for nothing.

Mr. President, I believe that we could make better use of this money if we increased the appropriation for rare and valuable seeds, and then permitted the Secretary of Agriculture to send such seeds directly to the people. I was not present when the discussion came up on this paragraph in the committee, and I have not heretofore heard the paragraph discussed. It is true, however, that a great many of these seeds that are sent out by the Agricultural Department are practically of no value, not because they are inferior seeds, but because they are seeds grown in a certain climate, say in a warm climate, and then sent to a cold climate. Under such circumstances seeds are absolutely valueless.

Anyone who has any practical knowledge of growing seeds or plants must know that to get perfect results the seed must be sown under the same climatic conditions and in similar soil.

Take grim alfalfa, for instance. Grim alfalfa was discovered by the Agricultural Department away over in Siberia. I have sent out to my State 188 portions of that grim alfalfa, but not a single portion has gone to the Red River Valley. Why? Because in the Red River Valley they have an abundance of rain, while grim alfalfa is a drought-resistant plant. I, therefore, sent it to the western portions of my State, which are classed as among the semiarid regions of the West. Seeds grown in a warm climate and in a certain kind of soil are not adapted to a far-away country where the climatic and soil conditions are different.

Mr. President, I had not intended to take any time in discussing this provision. I shall make no objection to striking it out, and the committee has recommended that it be stricken out; but I am not in favor of reducing the appropriation that can be used by the Secretary of Agriculture in buying rare and valuable seeds. If I had my way, Mr. President, I would increase the appropriation in the paragraph on page 22 which provides:

For the purchase, propagation, testing, and distribution of new and rare seeds, and for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, \$166,500: *Provided*, That of this amount not to exceed \$100,000 may be used for the purchase and distribution of such new and rare seeds.

That amount ought to be increased to at least \$266,000, of which \$200,000 should be available for the distribution of rare seeds to the farmers of the United States.

You will find clovers suitable for Oklahoma that are absolutely worthless in North Dakota. Take again the grim alfalfa, which was sent out by the Agricultural Department to the semiarid and to the arid regions of the West. That variety of alfalfa, although well adapted to the arid and the semiarid regions, is absolutely valueless in the South, and in every instance where drought-resistant seeds, which should be sent to the arid or semiarid regions of the North and Northwest, are sent to the South it is money thrown away.

Mr. President, I believe the chairman of the committee ought to accept an amendment to the paragraph on page 22, which I have just read, to increase the amount to be used by the Secretary of Agriculture in the purchase and distribution of rare and valuable seeds. We ought to appropriate \$300,000, or at least \$266,000, for such rare and valuable seeds, allowing the department to use \$66,000 for the propagation of the seeds and then \$200,000 for their distribution.

Mr. KENYON. Mr. President, the Senator from North Dakota [Mr. GRONNA] is the most practical farmer in this body, as well as the most distinguished. I am glad that he does not feel insulted or injured by the proposition to cut out free seeds. I feel, Mr. President, that this battle is hopeless, as the Senator from West Virginia [Mr. CHILTON] has assured the Senator from New Hampshire [Mr. GALLINGER] that if the Senator from New Hampshire will simply put on his fighting clothes, the forces of free seed can win. In that mighty union I fear this matter will be defeated. I am sufficiently acquainted with the fighting ability of the Senator from New Hampshire to know that our cause now is nearly hopeless. Free trade, free silver, and free tolls have all been mighty shibboleths, and I am afraid we can not defeat free seeds. Anything free is elusive and seductive.

I made an investigation last year of the expense to this Government involved in the free distribution of seed. Let me say now that I am not speaking against the proposition of sending out valuable seeds and grasses and valuable plants, such as Senators have spoken of; but this action of the committee is directed against political seeds, and that is all they are. I have not the figures here which were obtained as the result of the investigation I made, but taking into account the burden on the mail service, the Postmaster General—

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. KENYON. In just a moment; I should like to finish the sentence. The Postmaster General pointed out, some years ago, some of the reasons for the deficit in the Post Office Department; and one of the reasons was the expense of the free-seed distribution. I understand also that various Secretaries of Agriculture have suggested the elimination of this provision. Taking that into consideration, my investigation showed that we had spent in four years practically a million dollars to carry on this matter. If we are ever going to commence on economy, it seems to me that here is a good time to commence. I now yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, the Senator has repeated what one other Senator uttered a moment ago, that this was a political matter. I do not know what other Senators do or

what Members of another body do in the matter of distributing seeds, but it never occurred to me that a Democrat or a Progressive or a Prohibitionist was not as much entitled to his share of the seeds which are distributed as is a Republican; and I know that in my State they have gone to farmers absolutely without any reference to their political feelings. I think we ought to eliminate that feature from the discussion, because I do not believe any Member of this body or of the other body ever differentiates in the distribution of this bounty of the Government to the farmers so as to deprive his political opponents from getting as much consideration as his political friends. I think that must be so.

Mr. KENYON. I think that is entirely true, Mr. President. The seeds are not sent to Republicans by Republicans or to Democrats by Democrats or to Prohibitionists by Prohibitionists; the bounty falls equally on all. I suggest, however, that it would be far better if we would use this appropriation to disseminate among our people some of the delightful maple sugar that comes from New Hampshire. I think it would do them vastly more good—

Mr. GALLINGER. I appreciate that.

Mr. KENYON. Which the Senator now so kindly distributes freely among his senatorial friends.

Mr. BRADY. Mr. President, the Senator said a few moments ago that in the last four years it has cost a million dollars to distribute seeds. Do I understand that amount to be in addition to the original appropriations, or that it includes the annual appropriations?

Mr. KENYON. I mean including everything in what we call the congressional seed distribution. It costs the Government that much money—buying the seed, packing the seed, and transporting the seed through the mails.

Mr. BRADY. But this appropriation in this paragraph alone calls for \$257,000.

Mr. KENYON. I think the appropriation has not been as high in past years, although I am not certain as to that.

Mr. GALLINGER. It has been increased of late years.

Mr. BRADY. The Senator thinks, on the average, the Government has spent about \$250,000 a year?

Mr. GALLINGER. The appropriation was doubled a few years ago.

Mr. KENYON. I wish to say as to the political aspect—

Mr. WEST, Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. WEST. Does not the Senator think that the seeds would be more widely distributed by the Agricultural Department than by a representative of the people sending out at random the seed that is apportioned to him?

Mr. KENYON. I certainly do. Mr. President, there is another view of this matter. This system is unfair; it is a discrimination against the man who is not in office but who is running for office. The man who is in office has his 20,000 packages of seeds, and he sends those packages out under the frank of the Government. People are highly delighted and highly honored to get an envelope with the name of a Senator or Representative in the corner. If they get those and do not plant them before the primary or before the election, the man who has sent out the seeds has a great advantage over his opponent. If they plant them, however, and they grow before election, he is at no advantage over his opponent. The Government might just as well appropriate money to send out cheap cigars to the electors of this country; the principle would be just the same. It would give the man in office—

Mr. POMERENE. Mr. President—

Mr. KENYON. Just a moment. I want to finish this illustration. It would give the man in office an advantage provided the cigars were received the night before election and not used until after the election was over. But if used before the election he would be at no advantage. But there would be just as much sense in that proposition as there is in free distribution of seeds.

Mr. POMERENE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. I yield to the Senator.

Mr. POMERENE. Mr. President, I can hardly consent to the proposition that the Senator was elected over his opponent by reason of the fact that he had certain seed advantages. [Laughter.]

Mr. KENYON. I do not grasp the humor in the Senator's remark; but, as for my part, I send out none of the seed.

Mr. President, there is just as much—

Mr. CHILTON. Mr. President, I should like to ask if the Senator has disposed of his quota to another Senator?

Mr. KENYON. I do not understand the Senator.

Mr. CHILTON. Has the Senator disposed of his quota of seeds?

Mr. KENYON. I will turn a portion of my quota over to the Senator from West Virginia, who is the great champion of the cause of free seeds.

Mr. CHILTON. I will say, Mr. President, that I could use them to good advantage. I would certainly send them to some Progressives, some Republicans, and some Democrats; and I can assure the Senator that there is not, within my knowledge, a voter in West Virginia who ever has been or who could be influenced by such a bagatelle as a package of seeds, nor do I believe it of the Senator's people in Iowa.

Mr. KENYON. I think the farmers of my State resent it as a cheap method of currying favor at the expense of the Government. You might just as well, as the Senator from Massachusetts has said, send a piano out; you might just as well send grape juice out to instruct the youth of the country as to the beneficial use of grape juice. It would accomplish just as much good and possibly more as sending out free seeds. What I am objecting to, Mr. President, is the useless extravagance of this practice, and I will join with the Senator from New Hampshire as to the river and harbor bill, which I believe is generally iniquitous—

Mr. GALLINGER. Or the public-buildings bill.

Mr. KENYON. And the public-buildings bill, and all these other matters; and then try to cut down the expense of this Government to some reasonable basis.

All I meant to do, however, was to put into the Record this statement as to expense. I imagine this amendment will be defeated. As the Senator from West Virginia has suggested, this battle will go on; and the seed battle, once begun, is never left until it is won.

Mr. BRADY. Mr. President, I wish to say a word relative to the section commencing on line 17, and my reasons for believing that that will be more beneficial than it would be for us to leave in the bill the section for the purchase and distribution of valuable seeds.

The provision commencing on line 17, page 22, reads:

For the purchase, propagation, testing, and distribution of new and rare seeds, and for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, \$166,500: *Provided*, That of this amount not to exceed \$100,000 may be used for the purchase and distribution of such new and rare seeds.

I take it that the term "new and rare seeds" does not mean new and rare seeds in this country, but new and rare seeds in the community to which they are to be sent, and in which they are received. As was correctly said by the Senator from North Dakota, who is a practical farmer, it certainly will not do any good to send seeds from one climate to another where the climatic conditions are not somewhat similar. In other words, it will not do at all to take corn raised in a high altitude on arid lands, where the corn is produced by artificial moisture, such as irrigation, and send it down to Georgia, for it will not grow there. That fact has been established very clearly.

My thought is that even this small appropriation of \$166,500, of which \$100,000 is to be used for the purchase and distribution of new and rare seeds, will be more beneficial to the farmers of this country than \$257,000 used through congressional distribution.

The Senators and Representatives, as a general thing, do not have the time to give attention to this matter; and I believe that those who do have the time to give it attention are not working any more for the interest of the farmer than they are for themselves, for they do not have time to investigate the proper distribution of the seeds. The packages are made up of a stated number of different varieties, and seeds may be sent to one man or one family that would not or could not be beneficial to them at all.

Mr. LANE. Mr. President, if the Senator will allow me—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. BRADY. I do.

Mr. LANE. I wish to make the suggestion that I do not care whether this item is kept in the bill or not; but last year I distributed nearly all of my quota of seeds to the county school superintendents, and induced them to take charge of distributing them among the children in the rural schools all over the State. They had gotten up a sort of a contest among themselves for prizes. That disposed of the matter easily, and I really think a good use was made of the seed distribution.

Mr. BRADY. I think the suggestion is a splendid one. However, I believe that can be done much better by the Secretary of Agriculture, who has a department that can handle this very thing, than by a Member of the House or a Member of the Senate.

I have the same quota of seeds to distribute as other Senators. I have followed the plan of writing to the postmasters and different farmers' organizations and asking them for a list of names. I gave no thought whatever to the question whether they were Democrats, Republicans, Progressives, or Socialists. All I wanted to know was that they were farmers and that they desired the seeds.

I believe that the better plan, even better than that suggested by the Senator from Utah [Mr. Smoot] or the Senator from Oregon [Mr. Lane], will be to have the distribution handled not only through the schools but through the boys' and girls' clubs of the State. The boys' and girls' clubs are formed for the purpose of agriculture and for the purpose of demonstrating what can be done with a certain allotment of land.

In conducting the boys' and girls' club work in our State we set aside an acre that we allowed to be farmed by a boy or girl for the purpose of seeing how much wheat they can raise on that amount of ground, an acre for corn, and half an acre for sugar beets, and other crops that may be assigned to them. The boy or girl who is a member of the club takes that acre or half acre, or whatever amount it is, and cultivates it in the best possible way. They generally receive a prize; in fact, they always receive a prize for the best acre or the best production on a less amount of ground than they cultivate.

The way to have this seed reach the farmer is through a definite organization, which, in my judgment, should be primarily that of the State. The State should have control of the distribution in reality, but it should always be in close touch with the Agricultural Department of our Government, so that the information that the Government secures by testing the seeds can go on down through the channel of these clubs or schools to the man on the farm. That is where we desire to have the information finally go, and where the benefits primarily must be derived if we are going to succeed.

My reason for supporting the amendment striking out the section as it appears in the bill, is not for any political purpose. I am not one of those who believe that men who distribute seeds or do different things of that kind do so with ulterior motives. I believe they do it because they believe it is for the best interests of their constituents. My only reason for favoring the striking out of this section is because I believe you can take \$166,500 for the purposes named in the section on line 17, page 22, use \$100,000 of it for the distribution of seeds, and secure better results than you can by having \$257,000 in the bill for promiscuous distribution.

I am very much in favor of increasing from \$100,000 to \$200,000 the amount on line 21, that may be used for the purchase and distribution of new and rare seeds. I do not think there is a Senator in the Chamber at this moment who does not realize that the Agricultural Department certainly can secure better results with that amount than it possibly can do in any other way. For that reason I favor striking out the section.

Mr. GALLINGER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BRISTOW. Mr. President, before the vote is taken, on account of the absence of Senators who necessarily had to have lunch, and so forth, I suggest the absence of a quorum, in order that they may be able to reach here in time to vote.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. GORE. Mr. President, before the roll call begins, I wish to ask the Senator not to do that, because—

The PRESIDING OFFICER. The Chair will state to the Senator that the suggestion of the absence of a quorum already has been made, and the Chair thinks it probably can not be withdrawn.

Mr. GORE. The Senator from Kansas can withdraw it. I wish to say to him that one bell will bring more Senators into the Chamber than two bells, so that there is no economy of time in calling for a quorum.

Mr. BRISTOW. I will say to the Senator from Oklahoma that a number of Senators have told me they had to leave to attend to necessary business, and they are in the Senate Office Building. A single call does not give them time to reach here in order to vote. I am doing this at their request.

Mr. GALLINGER. Let the roll be called.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Overman	Smith, Ga.
Borah	Hughes	Owen	Smoot
Brady	Johnson	Page	Sterling
Bristow	Jones	Perkins	Swanson
Bryan	Kenyon	Pomerene	Thomas
Burleigh	Lane	Ransdell	Thompson
Burton	Lee, Md.	Robinson	Walsh
Chilton	McCumber	Saulsbury	Warren
Clark, Wyo.	McLean	Shafroth	Weeks
Dillingham	Martin, Va.	Sheppard	West
Gallinger	Martine, N. J.	Sherman	
Gore	Norris	Shively	
Gronna	Oliver	Simmons	

Mr. BRISTOW. I desire to say that the senior Senator from Kentucky [Mr. BRADLEY] has been called to Kentucky on a very important matter and can not be here to-day. I desire to have this announcement stand for the day.

Mr. JONES. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is away on official business of the Senate.

Mr. CHILTON. I desire to announce that the senior Senator from New Mexico [Mr. FALL] is away on business of the Senate. I will let this announcement stand for the day.

Mr. MARTINE of New Jersey. I was requested to announce the absence of the junior Senator from Missouri [Mr. REED] on account of important business.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

The question is on the amendment of the committee, on which the yeas and nays have been ordered. The Secretary will call the roll.

Mr. CHILTON. Is the vote being taken on the adoption of the amendment of the committee?

The PRESIDING OFFICER. Yes.

Mr. SHAFROTH. I ask that the question may be stated.

The PRESIDING OFFICER. The Secretary will state the question.

The SECRETARY. The question is on the adoption of the amendment proposed by the committee on pages 23, 24, and 25, where the committee proposes to strike out the item relative to the purchase and distribution of valuable seeds.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BRYAN (when his name was called). I am paired to-day with the junior Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the junior Senator from New Hampshire [Mr. HOLLIS] and will vote. I vote "yea."

Mr. CHILTON (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], but under the terms of the pair I am allowed to vote on this matter. I therefore vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. Not knowing how he would vote, and in his absence, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. SHEPPARD (when Mr. CULBERSON's name was called). I wish to announce the unavoidable absence of my colleague [Mr. CULBERSON], and that he is paired with the senior Senator from Delaware [Mr. DU PONT].

Mr. GALLINGER (when his name was called). I have a general pair with the junior Senator from New York [Mr. O'GORMAN]. Not seeing the Senator in the Chamber, I withhold my vote. If privileged to vote, I should vote "nay."

Mr. McLEAN (when his name was called). I am paired with the junior Senator from Montana [Mr. MYERS], and therefore withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Louisiana [Mr. THORNTON], and will vote. I vote "nay."

Mr. SMITH of Georgia (when his name was called). While I have a general pair with the senior Senator from Massachusetts [Mr. LODGE], I am advised by him that if present he would vote as I would vote. Therefore I vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from New York [Mr. ROOR]. I do not see the Senator in the Chamber, and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I am advised that the junior Senator from Wisconsin [Mr. STEPHENSON], with whom I am paired, if he were present, would vote as I shall. I therefore vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT].

I transfer that pair to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "yea."

Mr. WARREN (when his name was called). I announce my pair with the senior Senator from Florida [Mr. FLETCHER] and withhold my vote.

Mr. WEEKS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. JAMES] and therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

The roll call was concluded.

Mr. GALLINGER. I transfer my pair with the junior Senator from New York [Mr. O'GORMAN] to the senior Senator from New Mexico [Mr. FALL] and will vote. I vote "nay."

Mr. CLARK of Wyoming. I transfer my pair with the senior Senator from Missouri [Mr. STONE] to the junior Senator from Wisconsin [Mr. STEPHENSON], and will vote. I vote "nay." Otherwise, I desire to announce my pair with the senior Senator from Missouri and let the announcement stand for the day.

Mr. SIMMONS (after having voted in the negative). Since voting I have noticed that my pair, the junior Senator from Minnesota [Mr. CLAPP], is absent. I transfer my pair to the junior Senator from Tennessee [Mr. SHIELDS] and will allow my vote to stand.

Mr. KENYON. I rise to announce the absence of my colleague [Mr. CUMMINS]. He is paired with the junior Senator from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. On this question I am paired with the senior Senator from Iowa [Mr. CUMMINS] and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. KENYON. I should like to announce to the Senator from Arkansas that if my colleague [Mr. CUMMINS] were present he would vote "yea," which I understand is the way the Senator from Arkansas would vote.

Mr. ROBINSON. Upon that statement I ask to be recorded as voting. I vote "yea."

Mr. WALSH. I rise to announce that the absence of my colleague [Mr. MYERS] is due to illness. He is paired with the junior Senator from Connecticut [Mr. McLEAN].

Mr. MARTINE of New Jersey. I was requested to announce the pair existing between the junior Senator from South Carolina [Mr. SMITH] and the senior Senator from Minnesota [Mr. NELSON]. I do not know how my colleague would vote if he were present.

Mr. SHIVELY. I desire to announce the necessary absence from the Senate of my colleague [Mr. KEEN]. He is paired with the senior Senator from Kentucky [Mr. BRADLEY].

Mr. ASHURST. I wish to announce that my colleague [Mr. SMITH] is paired with the junior Senator from New Mexico [Mr. CATRON].

Mr. DILLINGHAM (after having voted in the affirmative). I have ascertained that the senior Senator from Maryland [Mr. SMITH] is absent. As I have a pair with that Senator, I withdraw my vote.

Mr. JONES. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is away on business of the Senate.

The result was announced—yeas 32, nays 21, as follows:

YEAS—32.

Ashurst	Clarke, Ark.	Lane	Robinson
Borah	Crawford	Lee, Md.	Sheppard
Brady	Gore	Norris	Sherman
Brandeggee	Gronna	Oliver	Smith, Ga.
Bristow	Hughes	Owen	Smoot
Bryan	Jones	Page	Thompson
Burton	Kenyon	Perkins	Walsh
Chamberlain	La Follette	Ransdell	West

NAYS—21.

Bankhead	Lewis	Pomerene	Swanson
Burleigh	McCumber	Saulsbury	Tillman
Chilton	Martin, Va.	Shafroth	Williams
Clark, Wyo.	Martine, N. J.	Shively	
Gallinger	Overman	Simmons	
Johnson	Pittman	Sterling	

NOT VOTING—42.

Bradley	Hitchcock	O'Gorman	Stone
Catron	Hollis	Penrose	Sutherland
Clapp	James	Poindexter	Thomas
Colt	Kern	Reed	Thornton
Culberson	Lea, Tenn.	Root	Townsend
Cummins	Lippitt	Shields	Vardaman
Dillingham	Lodge	Smith, Ariz.	Warren
du Pont	McLean	Smith, Md.	Weeks
Fall	Myers	Smith, Mich.	Works
Fletcher	Nelson	Smith, S. C.	
Goff	Newlands	Stephenson	

So the amendment of the committee was agreed to.
The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

Mr. GRONNA. Mr. President, I wish to ask the chairman of the committee if the provision on page 22, relating to the purchase, propagation, testing, and distribution of new and rare seeds, has been disposed of.

Mr. GORE. That paragraph has been agreed to. In fact the committee reported no amendment on the subject, and it has been agreed to, as far as the Committee of the Whole is concerned. I might suggest to the Senator that when we finish the consideration of the committee amendments any amendment he desires to offer will at that time be in order.

Mr. GRONNA. I was just going to suggest that we finish the subject of seeds, and I ask permission of the chairman to offer an amendment.

Mr. GORE. I desire to say that I have agreed with the Senator from Connecticut [Mr. McLEAN] to call up for consideration the amendment relating to migratory birds. The Senator from Connecticut desires to be absent on Monday and Tuesday next. I therefore would request the Senator from North Dakota to defer the presentation of his amendment at this time.

Mr. GRONNA. I should be very glad to do so, but I expect to be absent, and I should like to have it disposed of now. I do not believe that it will take more than a minute. I shall not ask for a record vote, I will say to the Senator. I simply want to consider the particular provision at this time.

Mr. GORE. I may say to the Senator that the amendment which the Senator intends to propose, I understand, has not been estimated for; it would be subject to a point of order, and I shall feel constrained to make a point of order against any amendment of that character exceeding the amount estimated by the department. But at this juncture I feel obliged to insist upon the consideration of the migratory-bird amendment, in order that several Senators may be heard on that subject who will be away on Monday and Tuesday next. Does the Senator expect to be away on Monday and Tuesday next?

Mr. GRONNA. I am not quite sure that I will be here. I was simply going to suggest that we consider the provision, and I wanted permission to offer an amendment to increase the amount from \$166,500 to \$266,500.

Mr. GORE. I shall be obliged to make a point of order against the amendment.

Mr. GRONNA. Of course, with that statement, as the amendment is clearly subject to a point of order, not having been estimated for, I shall not press it; but I was in hopes that after we had eliminated the item of \$257,000, the amount for the propagation and distribution of rare and valuable seeds could be increased \$100,000. Of course, if the chairman of the committee insists on making a point of order it would be of no use for me to propose the amendment, because I take it that it would go out on a point of order.

Mr. GORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the amendment on page 53, line 22, reducing the appropriation relative to migratory birds.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 53, beginning at line 17, the paragraph reads as follows:

For all necessary expenses for enforcing the provisions of the act approved March 4, 1913 (37 Stat. L. pp. 847, 848), relating to the protection of migratory game and insectivorous birds, \$50,000.

The Senate committee proposes to strike out \$50,000 and to insert in lieu \$10,000.

Mr. McLEAN. Mr. President, I ask that this amendment be not agreed to. I do not care to discuss the question unless it is necessary. I simply wish to call the attention of the Senate to the fact that the Secretary of Agriculture, in his estimate, requested an appropriation of \$100,000. That estimate was cut down in the House to \$50,000, and the Committee on Agriculture of the Senate has reduced it to \$10,000.

I want to call the attention of the Senate to the fact that two months ago the Senate, without a dissenting vote, adopted a resolution requesting the President to negotiate treaties with foreign nations for the protection of useful birds. A treaty has been prepared in our State Department and approved by the Secretary of State and by the President and forwarded by the British ambassador to his Government for its approval. There is every reason to expect that this treaty will be returned to the Senate for ratification at an early day. I also think there is every reason to expect that the treaty will be ratified, inasmuch as the treaty is coming here at the request of the Senate. I think it unsafe to assume that the Senate will repudiate and disown its own offspring.

The effect of adopting the amendment as reported by the Senate committee and of reducing the appropriation to \$10,000 will be tantamount to a declaration that this Government does not intend to enforce the law. It seems to me it would be a most unwise proceeding, at this juncture especially, because of the effect it might have upon the British Government while considering the treaty.

I do not care to say anything more unless there is argument made in opposition to my position; and, Mr. President, I hope when the vote is taken that it will be taken by yeas and nays.

Mr. ROBINSON. Mr. President, the item now under consideration relates to the act of March 4, 1913, declaring all migratory game and insectivorous birds which do not remain permanently within any State to be under the protection of the Federal Government, and forbidding the killing of the same contrary to the regulations made by the Department of Agriculture fixing closed seasons. The act made it unlawful to kill or capture migratory birds within the closed season, and provided as the penalty a fine of not more than \$100 or imprisonment not more than 30 days, or both, in the discretion of the court.

The original act of 1913 appropriated \$10,000 for the enforcement of the so-called migratory-bird law. The department proceeded under the act to make rules and regulations prescribing closed seasons for the killing of migratory and insectivorous birds in the various States. Violations of these regulations are punishable by fine or imprisonment, or both. These rules and regulations may be changed from time to time upon application to the Secretary of Agriculture, so that what the act actually does is to give to the Secretary of Agriculture power to prescribe rules and regulations, violations of which are made criminal. Under this act the department has prescribed closed seasons in conflict with the laws of the several States.

The bill under consideration passed the House carrying an appropriation of \$50,000 for the enforcement of this act, and the department is providing for the employment of a clerical force under the civil service in connection with the statute.

The Senate Committee on Agriculture, believing that the act is unconstitutional and will be so held when tested, reduced the appropriation to \$10,000, with a view to having the validity of the act determined.

Ardent advocates of the measure have challenged this action as unfair. They insist that the appropriation of at least \$100,000 should be made, and have severely criticized the action of the Senate committee in reducing the appropriation as an unwarranted effort to discredit the law.

Believing that the course pursued by the Senate committee is justifiable and proper, I feel it my duty to present briefly some of the reasons for this conclusion. There is no occasion for intemperate utterances regarding the subject. If the measure is clearly unconstitutional, it is absurd to organize a large force and appropriate any considerable sum of money for the enforcement of the act. Whenever it is tested it will be held invalid. Doubt as to the validity of the act did not originate with the Committee on Agriculture. It was frankly expressed by the author of the bill in his speech on January 14, 1913, in this body in the following language:

Mr. McLEAN. I frankly said that I did not myself find authority for it in any express clause of the Constitution, but I thought it was one of the implied attributes of sovereignty, based upon the incompetency of any State to accomplish the results desired, and that it is absolutely necessary that any nation worthy of the name shall have this power; and I cited instances of treaties and conventions between European nations. They have there a very complete code for the protection of game birds, and my hope is that the nations of the Western Hemisphere will, when the United States sets the example, quickly follow it.

The Senator will admit that a great many things have been decided as constitutional for which our fathers, at least, found no special constitutional grant, and that is my position. I agree it is fallow ground, and I cited but one case in which the Supreme Court clearly intimated that it was a dormant right that the Nation has a right to exert any time it chooses.

The Senator from New York [Mr. Root] on that occasion impliedly expressed his disbelief in the constitutionality of the measure by offering a resolution calling upon the President to propose a treaty with the governments of other North American countries for the mutual protection of migratory birds. Concerning this resolution at the time of offering it, he made the following statement:

Mr. Root. I think, sir, that that—

Referring to the resolution—

I think, sir, that that may furnish a pathway along which we can proceed to some practical relief in regard to the very urgent and pressing evil which the Senator from Connecticut has described. We already have a treaty regarding migratory fish in the Great Lakes and in that system of waters, and it may be that under the treaty-making power a situation can be created in which the Government of the United States will have constitutional authority to deal with this subject. At all events, that is worthy of careful consideration, and for that purpose I open it by the offer of this resolution.

During the course of the address in the Senate by the author of the bill other Senators, including the Senator from Missouri [Mr. REED], expressed the opinion that the act was unconstitutional, and, if I read the RECORD correctly, the Senator from Idaho [Mr. BORAH] also had grave doubts as to the power of Congress to rightfully pass the measure.

On January 22, 1913, the bill was passed by unanimous consent and practically without discussion, the Senator from Connecticut [Mr. McLEAN], however, making a brief statement, from which I quote the following:

Mr. McLEAN. Mr. President, I shall detain the Senate for a moment only. I gave notice last week that I would this morning call the attention of the Senate to S. 6497, a bill to protect migratory game and insectivorous birds in the United States, with the hope of securing the consent of the Senate to a vote upon the bill in the near future. I think perhaps I ought to say that at the time the bill was reported in April last I was advised by the friends of the measure not to press for a vote during the first part of the Sixty-second Congress. It seemed to me to be good advice then, and I hope I shall not have occasion to change that opinion. But under the circumstances, Mr. President, inasmuch as the method of conducting the business of the Senate has reached that stage of refinement where it is utterly impossible to secure affirmative legislation without the consent of every Member of the body, there is nothing for me to do but appeal to the Senate to consent to a vote upon this bill.

After that speech, and a slight short additional statement, the bill was passed without further discussion at that time.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. MARTINE of New Jersey in the chair). Does the Senator from Arkansas yield to the Senator from New Hampshire?

Mr. ROBINSON. I take pleasure in yielding.

Mr. GALLINGER. My memory may be at fault, but it is my impression that during the discussion on the bill I myself made a few feeble remarks in favor of it.

Mr. ROBINSON. No. The Senator from New Hampshire did make some remarks at the time of the speech made by the Senator from Connecticut [Mr. McLEAN], a few days prior to the time when the bill was passed; and it was passed as a great many other measures are—by unanimous consent, practically without consideration. I do not mean to imply that the Senator from Connecticut [Mr. McLEAN] did not fully discuss the measure in his speech several days prior thereto; and during the course of that speech the Senator from New Hampshire [Mr. GALLINGER] did make some remarks, which I have no doubt added greatly to the illumination of the subject.

Mr. GALLINGER. Possibly not; but my recollection is that the Senator from Connecticut debated the bill at considerable length on some occasion. It may not have been the day the bill was passed.

Mr. ROBINSON. I have stated that on the 13th of January the Senator from Connecticut made a speech; and during the course of his very able discussion of the subject the Senator from New Hampshire did make some remarks; but the bill was afterwards called up and considered and passed on January 22, 1913, by unanimous consent without any discussion whatever, except a statement from the Senator from Connecticut [Mr. McLEAN], the principal part of which statement I have quoted in this discussion.

Mr. GALLINGER. And, if the Senator will permit me, the Senator will recall the fact that in the other House, after debate, there were only 15 votes cast against the bill. The vote was almost unanimous there as well as here.

Mr. BURTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. ROBINSON. I want to reply to the statement made by the Senator from New Hampshire first. I do not think that fact, if it be a fact, is of controlling consideration. It is not material by what majority the bill passed.

I yield to the Senator from Ohio.

Mr. BURTON. I desire to ask a question for information. The bill to which reference has been made, which passed the Senate by unanimous consent, passed the House?

Mr. ROBINSON. Certainly. Otherwise it could not have become a law.

Mr. GALLINGER. It passed the House with 15 dissenting votes.

Mr. BURTON. The appropriation suggested in the pending bill is based upon the provision in the agricultural appropriation act of last year. Was the provision in the bill passed in the House and Senate repeated and carried into that agricultural bill?

Mr. ROBINSON. I think not. My information is that the act itself of March 4, 1913—the so-called migratory-bird law—carried an appropriation of \$10,000, and if my memory is correct the agricultural appropriation act of last year carried no appropriation for the enforcement of that act.

Mr. BURTON. The language of the bill as passed was carried into the agricultural appropriation bill, was it not?

Mr. ROBINSON. I think so.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. ROBINSON. I yield to the Senator from Massachusetts.

Mr. WEEKS. I simply wanted to confirm the recollection of the Senator from New Hampshire about the bill passing the House. It did pass the House of Representatives after considerable discussion, and as the result of a yea-and-nay vote. I have not the vote before me, but there was a considerable majority in favor of its passage.

Mr. GALLINGER. There were 15 votes against it.

Mr. ROBINSON. Of course every Senator knows that a bill before it becomes a law must pass both Houses of Congress, and it is immaterial by what majority it passes if it passes by any majority at all.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON. I yield.

Mr. BORAH. I was going to ask the Senator from Massachusetts if in the debate in the House anyone suggested upon what clause of the Constitution the bill could be made constitutional.

Mr. WEEKS. There was a time limit on the debate, and that question was not very generally discussed, but there was no question that there was doubt in the minds of some Members of the House as to the constitutional authority to pass the bill.

Mr. ROBINSON. Now, Mr. President, I will resume.

On November 5, 1913, Attorney General Carmody, of the State of New York, issued an opinion to the conservation commission of that State discussing the act in detail and declaring it invalid. The Department of Agriculture, it appears to me, has sought to avoid testing the constitutionality of the measure. The Secretary of Agriculture, while in thorough sympathy with the purposes of the act, indicates that he does not believe it constitutional. On April 22, 1914, I addressed to him the following letter:

APRIL 22, 1914.

HON. DAVID F. HOUSTON,
Secretary of Agriculture, Washington, D. C.

MY DEAR MR. SECRETARY: Your attention is called to the fact that the Senate Committee on Agriculture, having under consideration the agricultural appropriation bill, reduced the appropriation for the enforcement of the so-called "migratory-bird law" to \$10,000, with the understanding that the department would as speedily as possible test the validity and constitutionality of the measure. I presume that the chairman of the committee has, or will, communicate with you regarding this matter. It has recently been suggested, however, that the legal features of this measure are under the control of the Department of Justice. I would be pleased to know what the facts are as to this and what action has heretofore been taken, if any, and what decisions have been made by the courts touching the constitutionality or validity of this measure. The attitude of the Senate committee is that it is not advisable to create a large force and incur great expense in the enforcement of this measure, its constitutionality being in very great doubt.

Very truly, yours,

JOE T. ROBINSON.

To this letter he promptly replied under date of April 24, 1914, as follows:

APRIL 24, 1914.

HON. JOE T. ROBINSON,
United States Senate.

MY DEAR SENATOR ROBINSON: I have your letter of April 22, in reference to the migratory-bird law. I think this a most beneficent law and that it would be a misfortune if it were repealed, declared invalid, or not enforced. I appreciate the thought in the minds of the committee that the law may be declared invalid and that it would be embarrassing to have a large number of individuals employed who would be dropped with consequent hardship.

I referred to this matter recently when I was before the Senate committee and expressed appreciation of the difficulty, but also stated that, in my judgment, it would be desirable to have a larger appropriation than \$10,000.

In that connection the chairman of the committee stated that the Secretary of Agriculture claimed that \$20,000 would be entirely adequate for the purposes of the department in the enforcement of this measure.

We could use a larger appropriation without creating a staff so large that we could not take care of it in case the law was declared invalid. I think it would be a mistake not to have a reasonable enforcement of the law, so long as it is on the statute books, and I hope it will continue to stay on the statute books.

You have been correctly informed as to the legal phases of the matter. The prosecution of cases arising under the law is under the jurisdiction of the Department of Justice. So far no case has been presented to this department which our solicitor has deemed it advisable to present to the Department of Justice. I can not say when such a case will be found. A number of violations of the act have been prosecuted, however, in various States in which the defendants have pleaded guilty, but these cases have not come to this department or afforded an opportunity for a test of the law. In January last the State game

warden of Oregon reported to the United States attorney for that district a violation of the law. An information was filed by the United States attorney on January 7. The defendant pleaded guilty and was fined \$10. Four prosecutions for violation of this law have occurred in the northern district of California, which resulted, within the past three months, in pleas of guilty and the imposition of fines. These prosecutions were instituted by the United States attorney cooperating with the game and fish commissioners of the State of California. Five prosecutions in the eastern and western districts of Arkansas in the past three months have resulted in pleas of guilty and the imposition of fines. Another prosecution is now pending in Arkansas.

The department is just in receipt of a newspaper clipping from the *Argus-Leader*, of Sioux Falls, S. Dak., dated April 18, 1914, containing a report of the conviction of one Alfred M. Shaw for violation of the migratory-bird law. Shaw's attorney objected to the indictment on the ground that the law was unconstitutional. The court overruled the objection, the defendant pleaded guilty, and was fined \$100.

The department itself, so far, has not reported a case to the Attorney General, but has investigated numerous alleged violations, and in every case has found that the facts did not warrant indictments.

Very truly, yours,

D. F. HOUSTON, Secretary.

Mr. WEST. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Georgia?

Mr. ROBINSON. I yield to the Senator from Georgia.

Mr. WEST. I know nothing about the law which is being discussed here. Upon what ground is the unconstitutionality of the law based?

Mr. ROBINSON. I am going to discuss that right now.

Mr. WEST. All right.

Mr. ROBINSON. The attorney general of the State of New York, in his opinion, I believe, in the main, clearly sets forth the true doctrine governing the subject. I quote from that opinion:

This statute clearly announces the doctrine of Federal control of migratory birds within the borders of any State or Territory upon its face. To this extent it is a plain violation of the sovereign power vested in the respective States, and heretofore unquestioned on the part of the Federal Government. No decision can be found either of the Federal courts or of State courts of any recognized import that supports a Federal right of property in migratory game such as is claimed in this act. To this extent the question is new, but by analogy it is, to my mind, a well-settled question.

The property right of individuals in wild animals has been from the earliest cases at common law defined as a common right to pursue them, when the sovereign State permits, and a qualified property in their bodies when captured or killed. Conversely, the absolute authority of a State, using its police power and acting as trustee for the people of the State at large, to thus superimpose as between itself and individual limitations upon the right to pursue and possess game has been long past contention. (*Geer v. Connecticut*, 161 U. S., 519; *Silz v. Hesterburg*, 211 U. S., 31.)

It is elementary that the Federal Government is one of delegated powers; that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people" (Art. X, amendments of the Constitution); and that "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." (Art. IX, amendments of the Constitution.)

Attorney General Carmody, of New York, in discussing this feature of the subject, stated as follows:

If the Federal Government has the power to legislate in regard to migratory birds while within the territory of a State or Territory, we should be able to find the source of this power in the Federal Constitution itself. If it is not there it does not exist. I am at a loss to discover any provision in the Federal Constitution that supports this assumed power. It is claimed, I understand, by the patrons of this bill that the act is based upon section 8 of Article I, which gives to Congress power to provide for the common defense and general welfare of the United States. Migratory birds, they say, destroy insects harmful to crops and vegetation. If Federal control of matters ordinarily under State jurisdiction could be based upon such reasoning as this, then there is no function of the State government that can not be superseded by Federal control. Just as well could you extend upon this authority Federal control over divorces, over matters of public health generally, over crimes, over the subject of extradition. Indeed, it is hard to place a limit to the exercise of such power if you recognize its existence.

Mr. President, it was upon the general-welfare clause of the Constitution that the Senator from Connecticut [Mr. McLEAN] impliedly, in that portion of his speech which I have already read, based the power of the Federal Government to legislate upon this subject. It seems to me to be the accepted doctrine that the general-welfare clause of the Constitution can not be construed to give any specific power or any power which some one may think necessary to be exercised by the Federal Government. In order to set at rest that contention, I will quote from a recognized authority on constitutional law, one whose commentaries have become textbooks in the law schools and universities of the country. Says Mr. Story:

The preamble never can be resorted to to enlarge the powers conferred on the General Government or any of its departments. It can not confer any power per se. It can never amount by implication to an enlargement of any power expressly given. It can never be the legitimate source of any implied power when otherwise withdrawn from the Constitution. Its true office is to expound the nature and extent and application of the powers actually conferred by the Constitution and not substantively to create them.

It does not seem to me, therefore, that the act can be sustained on the theory that the Federal Government can deal with the subject more adequately than can the States, and, therefore, has the implied power inherent in its sovereignty, as stated by the Senator from Connecticut, to pass such legislation. Discussing this subject Attorney General Carmody, in his opinion, said in part:

The assumption that the power being one within the scope of governmental authority is within the United States and denied the States, for the reason that the States have no extra-territorial jurisdiction and will not act uniformly, is unavailing in the face of the decisions of our courts that the protection of all game has been from earliest time a State police power. We have no sanction to shift the subject to one of incompetency or noncooperative action on the part of the States, nor to justify the statute on the ground that the laws of one State may seriously affect citizens of other States, for under such an argument Congress would have had power over commerce and bankruptcies.

No necessity for a broad power in Congress can create it. The "pressure of a supposed general welfare" can not constitute Congress the legislative arbiter of all interstate troubles or of all affairs over which State laws fail through inadequacy. As the court makes clear in *Kansas v. Colorado* (206 U. S., 46, p. 90):

"The framers intended that no such assumption should ever find justification in the organic act, and that if in the future further powers seemed necessary they should be granted by the people in the manner they had provided for amending that act."

The conclusion of the attorney general of New York is:

I conclude that this law is an unwarranted invasion by the Federal Government of a power that belongs, under the Federal Constitution, to the State exclusively. It is paternalistic in character and entirely inconsistent with the theory upon which is regulated the relative functions of State and Federal powers. It is not to be found either in express terms or implication in the Federal Constitution. It is contrary to a long and unbroken line of decisions of Federal and State courts. It is true that the law contains a provision that it shall be construed in harmony with the local laws of States for the protection of nonmigratory birds. Were the principle of the law reconcilable with this declaration, or were the terms of the law placed in harmony with the State law, there would be no occasion for this opinion. The fact is, however, that notwithstanding this declaration that the provisions of the Federal statute shall be harmonized with the local laws, the Agricultural Department has fixed open and closed seasons that differ from our own, and it is this that makes the principle of the law in its application particularly vicious.

Mr. President, if the fact that birds are migratory or insectivorous can give Congress jurisdiction to legislate concerning their custody or protection—

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. ROBINSON. I yield to the Senator.

Mr. McLEAN. Mr. President, I should like to ask the Senator from Arkansas if he thinks, in the event that a treaty between this Government and Great Britain should be ratified, and that treaty took into consideration the existence of this very law, Congress would not have the power to enforce the provisions of that treaty?

Mr. ROBINSON. Mr. President, I said in the earlier part of my remarks that the Senator from New York [Mr. Root] at the very time the migratory-bird bill was under discussion in the Senate had offered a resolution calling upon the President to negotiate some kind of a treaty between this and other North American Governments for the purpose of mutually protecting migratory birds. The treaty-making power of the United States Government is of course a very broad one. There have been and in the nature of the subject there can be few, if any, limitations by court decisions on the treaty-making power of the United States. There is no such treaty now as that to which the Senator refers. I can not look into the future and determine what may be accomplished under a treaty that has not been negotiated and, therefore, has not been ratified. I would not undertake to say at this time that the subject is not one with which the United States Government could deal in a treaty; there is a conflict among the authorities on that subject. Mr. Henry St. George Tucker, in a recent article printed in the *North American Review*, took the position that it is not within the power of the Government in the exercise of the treaty-making power to invalidate any provision of the Constitution of the United States or to reduce or minimize the powers reserved to the States under that instrument. That is a controversy that has been raging about the alien land ownership question in the State of California; that subject has been discussed a great deal; and I repeat that I would not undertake to say now that the United States Government can not hereafter negotiate a treaty upon this subject with Great Britain or with the Dominion of Canada or with other North American governmental powers. I would not undertake to say whether a law hereafter passed to carry out a treaty hereafter negotiated and ratified would be unconstitutional. I can not pass upon that question now. It is doubtful, however, whether it is within the province of Congress to pass a law admittedly unconstitutional, in violation of

the very fundamental principles of the Constitution, and then support that act by a treaty subsequently negotiated.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. ROBINSON. I yield to the Senator from Connecticut.

Mr. McLEAN. I do not care to interrupt the Senator if he objects to my doing so—

Mr. ROBINSON. I do not object.

Mr. McLEAN. I want to call his attention to the fact that he has just referred to an argument of Mr. St. George Tucker on this subject. I ask the Senator if he has had his attention called to the footnote which Mr. Tucker appended to his argument, on page 15?

Mr. ROBINSON. I do not remember the page, but I do recall that there was a note appended to the argument.

Mr. McLEAN. I think it very opportune that I read it to the Senator, because I think it very important.

Mr. ROBINSON. The Senator from Connecticut may read it.

Mr. McLEAN. It is as follows:

The limits of this paper do not permit the discussion and analysis of the cases decided by the Supreme Court of the United States from *Ware v. Hylton* (3 Dallas, 199) to *Geoffroy v. Riggs* (133 U. S., 258), which are claimed to be opposed to the views expressed above.

I simply call the attention of the Senator to the fact that the cases decided by the Supreme Court of the United States do not sustain Mr. Tucker's opinion, and he himself is frank enough to call attention to that fact in his own argument.

Mr. ROBINSON. Mr. President, I have said that that is a mooted question. I did not intend to say, nor do I think my language so implies, that I indorse unqualifiedly or in any way the argument of Mr. Tucker. I realize that there are some authorities which contend that the treaty-making power is practically unlimited, and I did call attention to the fact that Mr. Tucker had taken the position that it is not within the power of the Government, in the exercise of the treaty-making power, to destroy or abrogate any provision of the Constitution of the United States, because it is expressly provided that the Constitution of the United States and the laws made in pursuance thereof, as well as treaties made under the authority of the United States, shall be the supreme law of the land.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON. I yield to the Senator.

Mr. BORAH. I want to ask the Senator from Connecticut a question in connection with the note which he has just read. Does the Senator from Connecticut claim that the treaty-making power is sufficient and efficient to provide for treaties which would be in contravention of the Constitution of the United States with reference to the division of powers between the National and the State Governments?

Mr. McLEAN. Not at all.

Mr. ROBINSON. The Senator must do so to sustain this act.

Mr. McLEAN. All I claim is that the protection of migratory birds would fall within the treaty-making power. As that question is up, I should like to call the attention of the Senator from Idaho to the opinion of Mr. Charles Henry Butler in the latest edition of his work on the Treaty-making Power of the United States. It is very brief. It is based upon a long line of decisions, and it seems to me to state very clearly the position of those who believe, as the Senator from New York [Mr. Root] and other Senators believe, that it is a proper subject for a treaty, and that Congress would undoubtedly have the right to enforce the provisions of that treaty by legislation. Mr. Butler says:

The treaty-making power of the United States as vested in the Central Government is derived not only from the powers expressly conferred by the Constitution, but that it is also possessed by that Government as an attribute of sovereignty, and that it extends to every subject which can be the basis of negotiation and contract between any of the sovereign powers of the world or in regard to which the several States of the Union themselves could have negotiated and contracted if the Constitution had not expressly prohibited the States from exercising the treaty-making power in any manner whatever and vested that power exclusively in and expressly delegated it to the Federal Government.

This power exists in and can be exercised by the National Government whenever foreign relations of any kind are established with any other sovereign power in regulating by treaty the use of property belonging to States or the citizens thereof, such as canals, railroads, fisheries, public lands, mining claims, etc.

I call the attention of the Senator from Idaho to the fact that we have already pending treaties with Great Britain which regulate the taking of the swimming fishes in the Great Lakes, and it seems to me the analogy is plain. In view of the further fact that 14 of the nations of Europe already protect their migratory birds under an international agreement, it seems to

me that there can be no question that this is a proper subject for a treaty.

Mr. ROBINSON. Mr. President, I have already stated that the treaty-making power of the United States is very broad; that its limitations have not been expressly defined, and, in the very nature of the subject, it is not probable that they will be expressly defined by court decisions; but I call attention to the fact that it is not claimed that this act was enacted in pursuance of any treaty relationship between the United States and the Dominion of Canada. It is not claimed by anyone that any treaty is now in existence; it is simply said "we will ask the President to negotiate a treaty"; that an effort will be made hereafter to negotiate a treaty to support this law. If by the treaty-making power the Federal Government can exercise jurisdiction over the subject, it must begin with the exercise of that power. The fact that some Member of Congress or anyone else has in contemplation the negotiation of a treaty does not give Congress the power to legislate upon a subject which, under the Constitution, is reserved to the States.

Passing over for the time being the question as to whether or not in the exercise of the treaty-making power the Federal Government can strip the States of their power reserved to them under the Constitution, I say that the question does not properly arise here, because there is no treaty. Whatever may be the limitations on the treaty-making power, no man can fairly claim that it is unlimited. For example, could the United States negotiate a treaty with Great Britain or with France or with any other foreign power, eliminating the House of Representatives or the Senate of the United States from the right to participate in the making of laws?

Mr. BORAH. Mr. President—

Mr. ROBINSON. I yield to the Senator from Idaho.

Mr. BORAH. I suppose that most of those who doubt the constitutionality of this law would like to see some such law in effect, but certainly the authorities cited by the Senator from Connecticut do not reach the question which has been presented here. If you can deal by treaty with one class of property in a State, you can deal with another class of property within a State; and if you can say what shall be done with reference to birds and other property or other property rights, you can say that by treaty the Japanese shall own land in California. It does not make any difference what the treaty-making power is nor how great it is, it is not and never has been construed, and never will be construed, to wipe out the distinction between the National Government and the State governments with reference to the distribution of power under the Constitution.

Mr. McLEAN. Mr. President—

Mr. ROBINSON. I yield to the Senator from Connecticut.

Mr. McLEAN. I think I will have to read the rest of this page from Butler on the "Treaty-making power of the United States." The writer goes on to say:

In regulating the descent or possession of property within the otherwise exclusive jurisdiction of States; in surrendering citizens and inhabitants of States to foreign powers for punishment of crimes committed outside of the jurisdiction of the United States or of any State or Territory thereof; in fact, that the power of the United States to enter into treaty stipulations in regard to all matters which can properly be the subject of negotiations between sovereign States is practically unlimited.

Mr. BORAH. Certainly.

Mr. McLEAN. If the Senator will pardon me a moment, the writer continues—

and that in no case is the sanction, aid, or consent of any State necessary to validate the treaty or to enforce its provisions.

Third. That the power to legislate in regard to all matters affected by treaty stipulations and relations is coextensive with the treaty-making power, and that the acts of Congress enforcing such stipulations which, in the absence of treaty stipulations, would be unconstitutional as infringing upon the powers reserved to the States.

And then the cases cited, which the Senator very well knows, are numerous where the States have had sole power to regulate the title of property belonging to aliens in the absence of a treaty, and yet in the presence of a treaty the treaty at once controls and the jurisdiction of the State is lost.

Mr. BORAH. Then, as I understand the position of the Senator from Connecticut, the disturbance and difficulty over the Japanese question has been entirely unnecessary, and all that was necessary for the Government of the United States to do was to extend the terms of the treaty with Japan, or, without consulting California or sending the Secretary of State there to plead with the citizens of California, to have negotiated a treaty providing that the Japanese could own property in the State of California as they saw fit and own it as any other citizens might own it.

Mr. McLEAN. The Senator is stating the proposition too broadly; he includes too much.

Mr. BORAH. I am only stating it to that extent to which the logic of the Senator will inevitably lead—

Mr. McLEAN. I think not.

Mr. BORAH. Because if the United States can deal with one class of property—that is, as against the distribution of powers between the States and the National Government—it can deal with another; and if it can deal with it at all, it can deal with it to its full extent.

Mr. McLEAN. A State might have full jurisdiction to regulate the conditions of property belonging to aliens in that State, and in many States the property of aliens is escheated under the local law, but where the matter is regulated by treaty the treaty is regarded by the courts. There is no difference in opinion; there are no cases which intimate anything to the contrary.

Mr. BORAH. To the contrary of what?

Mr. McLEAN. That the Federal Government has the authority to enforce the provisions of a treaty—

Mr. BORAH. Yes; properly made.

Mr. McLEAN. Regulating the descent of property in a State, where, in the absence of such a treaty, the State would have full jurisdiction.

Mr. BORAH. In other words, the Senator contends that the distribution of power between the States and the National Government does not stand in the way of the treaty-making power?

Mr. ROBINSON. Certainly; that is the logic of the contention of the Senator from Connecticut.

Mr. McLEAN. I did not quite catch the Senator's statement.

Mr. BORAH. The Senator contends that that with which it is now in the sovereign power of the State to deal would be taken out from the power of the State under its sovereignty by virtue of a treaty.

Mr. McLEAN. In certain instances, but not in all cases. Where it is a proper subject for international negotiations, it can be done.

Mr. ROBINSON. Mr. President, the discussion as to the treaty-making power as involved in the consideration of this bill is more or less academic. I have already stated that there is no treaty governing this subject. The mere statement of individuals that a treaty is in contemplation can not be sufficient warrant for a Senator to violate his obligation to support the Constitution of the United States. No man can successfully contend that the power to regulate the killing of migratory birds is under the Constitution of the United States conferred on the Federal Government. Every lawyer knows that the Federal Government is one of delegated powers. If the Constitution does not carry that authority, either expressly or impliedly, the power does not exist. All of the authorities indicate that the control of this subject is within the States. The fact that these birds are migratory or insectivorous, in my judgment, reflects no light upon the controversy whatever. Migratory birds in their flights are not engaged in commerce, and you can not assume jurisdiction of the killing of game in the States without violating the plain provisions of the Constitution and the rules of construction that have been applied to it since the day of its adoption.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield further?

Mr. ROBINSON. I yield to the Senator from Connecticut.

Mr. McLEAN. Does the Senator say that there are no lawyers who hold that the migratory bird law is constitutional?

Mr. ROBINSON. I would say that there are no good ones.

Mr. McLEAN. Has the Senator ever read the argument of Mr. George Shiras, jr., of New York, in relation to this matter?

Mr. ROBINSON. No; I have not. I will ask the Senator from Connecticut if the argument he himself made in the Senate when this bill was under consideration did not, as I have already stated, clearly imply his own doubt as to the constitutionality of the legislation? I will ask him now if he will say that he thinks the act of March 4, 1913, the so-called migratory bird law, is constitutional and within the lawful exercise of the authority of Congress?

Mr. McLEAN. Mr. President, I am not certain as to the constitutionality of this law.

Mr. ROBINSON. Does the Senator from Connecticut seek to justify the appropriation in the pending bill on the theory that Congress habitually violates its obligations to the people of the United States to support the Constitution of this country?

Mr. McLEAN. If the Senator will wait, I should like to answer his question. As I have said, I am not certain of the constitutionality of this law. The Supreme Court has authority to pass on the constitutionality of all Federal laws, and I think history records that a great many good lawyers have been disappointed in their views in regard to the constitutionality of acts of Congress. I will say to the Senator, however, that if

this law is not constitutional, then, in my opinion, 50 per cent of the money that has been appropriated in this bill has been appropriated for the administration and enforcement of unconstitutional acts. If this law is unconstitutional, then I do not believe that a single one of the appropriations which have been made for the protection of a State or a group of States in this Union to prevent the invasion of insects is constitutional. I am not certain, of course, but I believe that there is room enough in the Constitution, and plenty of it, for this law.

Mr. ROBINSON. I will ask the Senator from Connecticut to tell me upon what provision in the Constitution he bases the right of Congress to legislate upon this subject.

Mr. McLEAN. Well, Mr. President, I tried to make that clear when the migratory-bird bill was under discussion in the Senate.

Mr. ROBINSON. I will say to the Senator that I was not then here, and did not hear the discussion at that time.

Mr. McLEAN. This matter has been pending in Congress for something like eight years, and it has been thoroughly discussed over and over again.

Mr. ROBINSON. If the Senator—

Mr. McLEAN. I will answer the Senator's question if he will give me time, if he wishes me to do so; it will take perhaps a minute and a half to do it. I want to say to the Senator that there has never been a reform of any breadth of application or scope that has not been denounced as unconstitutional and in violation of the sacred, fundamental rights of either the States or the people; but, Mr. President, reforms come and the phantoms and shadows of the opposition do not stay their progress very long when the reforms are supported by the right sort of patriotism and common sense. If the Senator will take a map of the Western Hemisphere and locate the State of Arkansas and say that he thinks that that State, acting single-handed, can render effective protection to the 100 varieties or more of useful migratory birds, not 1 per cent of which ever come within gunshot of his State in their annual migration—if he thinks the State of Arkansas, acting alone, can perform that miracle, then there is some foundation for his opposition. But, sir, I believe it is just as much within the power of the Federal Government to protect a State or a group of States against the invasion of noxious insects by protecting the migratory insectivorous birds as it is to protect a State or a group of States against the invasion of destructive insects by the use of poisons or parasites.

I believe it is just as much within the power of the Federal Government to protect a State or group of States against the invasion of irresistible hordes of destructive insects as it is to protect a State or group of States against the invasion of the cholera or the bubonic plague.

I ask the Senator to try to get his eyes away from the shotgun in this discussion. There is no right to kill that is not conferred in the first place by the sovereignty. There is no property in the *feræ naturæ*. The paramount right is the right to the protection which the birds offer to the agricultural interests of this country. Will the Senator claim that any State acting alone is competent to secure for itself the protection which these birds offer? It is ridiculous to claim that.

Therefore I say, Mr. President, that the fact that any State acting alone is incompetent to preserve that right the Federal Government at once has the right to furnish that protection.

Not one of the cases which the Senator has cited involves this question, or comes anywhere near it. In no case was the issue any other than that the State had the right to protect its resident birds. The question whether the Federal Government might not assert its dormant right to protect migratory birds never has been raised, and I have always said that this is fallow ground; that the Supreme Court never has passed upon it; but, in my opinion, those who believe this law is constitutional are quite as likely to have their judgment approved as those who believe it is not constitutional.

That, however, is not the question here. The question here is whether this treaty which we have requested the President to negotiate with Great Britain, when it comes to us and is ratified, will not then heal any constitutional infirmity which the law may have. I wish to say that in that opinion I am supported by the senior Senator from New York [Mr. Root] and many other Senators in this body whose opinions upon constitutional questions are considered to be sound and worthy of consideration.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON. I yield to the Senator from Idaho.

Mr. BORAH. It seems that this is another case in which we will have to call upon Great Britain to enable us to legislate concerning our domestic affairs.

Mr. ROBINSON. If the Senator pleases, I would rather have him confine his remarks to a discussion of the subject under consideration.

Mr. BORAH. I am going to do that, with a preface.

Mr. ROBINSON. The Senator may proceed.

Mr. BORAH. What I was going to say is that if we can not ourselves deal with this matter, because of the distribution of powers under the Constitution with reference to the State and National Governments, it seems to me inconceivable that we can get any aid by going to a foreign Government and making a treaty with that Government. That does not redistribute the powers between the two sovereignties. That does not change the provision of the Constitution.

Mr. McLEAN. Then why are we seeking treaties with Great Britain to regulate the taking of fishes in the Great Lakes?

Mr. BORAH. That is an entirely different proposition, because it is subject to international action. That does not have anything at all to do with the distribution of powers between the State and the National Governments.

Mr. McLEAN. These birds are in this country to-day and in the territory of Great Britain to-morrow.

Mr. BORAH. Exactly; but when they are within a State they are in a different attitude as property than the fish which are in the Great Lakes, because the Great Lakes are under a different jurisdiction.

Mr. McLEAN. Not at all; because when the fish are in the Great Lakes they are at times entirely within the jurisdiction of the States.

Mr. BORAH. But the Great Lakes are not considered as part and parcel of the States for this purpose.

Mr. McLEAN. Neither is the atmosphere covering the Western Hemisphere considered a part and parcel of the United States for this purpose.

Mr. BORAH. In other words, we have some lakes wholly within our State, and Great Britain and the United States combined could not control the situation within those lakes.

Mr. ROBINSON. I think that reasoning is clear.

Mr. BORAH. Just one more thing, and then I will not press this matter further. The Senator says that these reforms come, and they will come, in spite of the Constitution. I concede that proposition; but would it not be infinitely better, where we find things ought to be done and that we have not the power to do them, to go to the people and get that power through an amendment to the Constitution?

Mr. McLEAN. No; I did not say that. I said they would come in spite of the shadows and phantoms summoned by those who are opposed to them.

Mr. BORAH. Of course, we shall need an expert on shadows and phantoms before we can determine what are shadows and phantoms; but we still have a kind of affection for that which was the Constitution of the United States, and notwithstanding the fact that these reforms come and will come in spite of the Constitution of the United States, permit some of us to call attention as we pass by to the fact that this Government was built up to its present strength and power by observing the Constitution of the United States. When you leave it, you will in time return to it, and you will return to it in sackcloth and ashes. Our forbears thought it wise to amend the Constitution rather than violate it.

Mr. McLEAN. That is for the Senator to prophesy.

Mr. BORAH. Let me read a paragraph from the Supreme Court of the United States, where this same doctrine was announced by the attorney at the bar. This is the opinion of the court in the case of *Kansas v. Colorado* (206 U. S., 46). I read from page 89:

But clearly it (section 3 of Article IV) does not grant to Congress any legislative control over the States, and must, so far as they are concerned, be limited to authority over the property belonging to the United States within their limits. Appreciating the force of this, counsel for the Government relies upon "the doctrine of sovereign and inherent power," adding, "I am aware that in advancing this doctrine I seem to challenge great decisions of the court, and I speak with deference." His argument runs substantially along this line: All legislative power must be vested in either the State or the National Government; no legislative powers belong to a State government other than those which affect solely the internal affairs of that State; consequently all powers which are national in their scope must be found vested in the Congress of the United States.

That is the argument, put in a very effective way, of the Senator from Connecticut: Because the State can not do it, because the State is not in position to exercise the power, then necessarily it must follow that it is in the Congress of the United States.

But the proposition that there are legislative powers affecting the Nation as a whole which belong to, although not expressed in the grant of powers, is in direct conflict with the doctrine that this is a Government of enumerated powers. That this is such a Government clearly appears from the Constitution, independently of the amendment, for

otherwise there would be an instrument granting certain specified things made operative to grant other and distinct things. This natural construction of the original body of the Constitution is made absolutely certain by the tenth amendment. This amendment which was seemingly adopted with prescience of just such contention as the present disclosed the widespread fear that the National Government might, under the pressure of a supposed general welfare, attempt to exercise powers which have not been granted. With equal determination the framers intended that no such assumption should ever find justification in the organic act, and that if in the future further powers seemed necessary they should be granted by the people in the manner they had provided for amending that act. It reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people." The argument of counsel ignores the principal factor in this article, to wit, "the people." Its principal purpose was not the distribution of power between the United States and the States, but a reservation to the people of all powers not granted. The preamble of the Constitution declares who framed it, "We the people of the United States," not the people of one State, but the people of all the States, and Article X reserves to the people of all the States the powers not delegated to the United States.

Mr. President, as I said a moment ago, I think this is a wise measure, and I am not opposed to it for the reason that I am opposed to the policy; but even insectivorous birds or migratory birds can not change my view of the Constitution of the United States or change the written interpretation which has been so often placed upon it by the Supreme Court. I think there is a wiser, a safer, and, in the long run, a quicker way to accomplish what we all desire.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. ROBINSON. I yield to the Senator from Massachusetts.

Mr. WEEKS. I should like to ask the Senator from Idaho a question before he takes his seat. Having expressed his approval of the purposes of the law, and it being a law on the statute books, does he not think the proper place to determine its constitutional effect or value is before the courts, and that we should make suitable appropriation to carry out the law as long as it is a law?

Mr. BORAH. As I understand, the bill provides an appropriation for the purpose of carrying out the law until the Supreme Court shall have passed upon it.

Mr. WEEKS. It provides \$10,000; but that is nothing.

Mr. ROBINSON. Mr. President, the purpose of the committee in providing this \$10,000 was the same as that which I understand to be embraced in the act of March 4, 1913—that the validity of the act shall be determined.

I have already stated that the department itself, believing the act unconstitutional, has failed to permit it to be tested. It has taken pleas of guilty where defendants were willing to plead guilty, and has refused to prosecute or present to the courts cases so that the constitutionality of the act might be finally determined.

Mr. GALLINGER and Mr. McLEAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield, and to whom?

Mr. ROBINSON. I yield to the Senator from New Hampshire this time.

Mr. GALLINGER. Inasmuch as the appropriation heretofore made manifestly was insufficient for the purpose, and the department asked for \$100,000, does it not follow that we ought to appropriate something more than the \$10,000 that we formerly appropriated?

Mr. ROBINSON. I think not; and I will state my reasons for that position.

Mr. GALLINGER. Let me add that I intended to interrogate the Senator on the very point that the Senator from Massachusetts [Mr. WEEKS] raised. Should we govern our legislation on this or any other matter by the fact that some eminent lawyers have said that a law that we passed was unconstitutional before it has been tested in the courts?

Mr. ROBINSON. Oh, certainly not. Every Member of Congress is under the obligation of determining the constitutionality of the act for himself. That is a matter which addresses itself to the conscience of every Member of Congress.

Mr. GALLINGER. Yes. Just one other question and I am done. The Senator says he finds nothing in the Constitution, either direct or implied, that warrants this legislation. Does the Senator find anything in the Constitution that warrants the Agricultural Department in sending men to the State of New Hampshire to slaughter cattle, or does the Senator find anything in the Constitution that gives the Government authority to send its agents into the State of Arkansas, in the event of an epidemic, for the purpose of trying to stamp it out?

Mr. ROBINSON. Mr. President, of course as to property, which is designed and intended to enter into interstate commerce, on that view of the question the authority of the United States might be admitted, but I do not think it is fair for

Senators to consume my time by asking hypothetical questions. I am presenting to the Senate of the United States a simple proposition upon its own merits.

I wish now to reply to some things that were stated by the Senator from Connecticut [Mr. McLEAN] a few minutes ago, before the Senator from Idaho made his remarks. He impliedly characterized those of us who were unwilling to appropriate a large sum of money and create an enormous force in the Department of Agriculture for the enforcement of this act as lacking in patriotism or common sense.

Mr. President, in reply to that statement I wish to say that my conception of patriotism is that under my oath of office as a Senator I shall always be loyal to the Constitution of the United States. Neither the fevered imagination of fanaticism nor the excitement of those who would give undue proportions to any question can induce me knowingly to vote for the appropriation of a large sum of money for a purpose which I, in my conscience, believe to be a violation of the Constitution of the United States. The Senator from New Hampshire may satisfy himself in voting for this appropriation, which he knows is unconstitutional, on the theory that he has knowingly voted for other appropriations for the Department of Agriculture which were unconstitutional. I do neither. I vote for no appropriation for any purpose which in my conscience I believe is a violation of the supreme law of this land.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Hampshire?

Mr. ROBINSON. I do.

Mr. GALLINGER. In view of the cases that have been cited, not being a lawyer, I am not going to argue the legal and constitutional aspects of this case; but I wish to say to the Senator that I do not believe this act is unconstitutional, and I shall not believe it until the courts pass upon it.

Mr. ROBINSON. In fairness I want to say, in reply to the statement of the Senator from New Hampshire, that I merely inferred that from the question which he asked me. He did not make the direct statement, of course.

Mr. McLEAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. ROBINSON. Yes; I yield.

Mr. McLEAN. The Senator is very kind.

The Senator has quoted freely from the Secretary of Agriculture. He had just completed his quotation when he was interrupted by the Senator from New Hampshire. I, also, have a communication from the Secretary of Agriculture on this subject. I will send it to the desk, and I should like to have it read.

Mr. ROBINSON. I have no objection.

Mr. BORAH. Is that on the constitutional question?

Mr. McLEAN. The Senator will be able to judge of that from the reading.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, April 23, 1914.

HON. GEORGE P. McLEAN,
United States Senate.

DEAR SENATOR McLEAN: I have your letter of April 22, in reference to the migratory bird law. In the first paragraph of your letter you refer to my letter as stating the reasons why I opposed the appropriation for the administration of this law. You evidently have been misinformed or labor under a misunderstanding of my letter of April 21. I approved an estimate of \$100,000 for the administration of the migratory bird law; the House committee reduced that to \$50,000, as you know. The Senate committee, I understand, at first omitted the item entirely, and subsequently inserted an appropriation of \$10,000.

Recently I had the honor to be before the Senate committee on another matter, and I voluntarily brought up the enforcement of the migratory bird law. I called attention to the fact that my estimates contained an item of \$100,000; that the House committee had reduced it to \$50,000, and that the Senate committee had finally placed an item of \$10,000 in the bill. I expressed appreciation of the difficulty which I understood was in the minds of the Senate committee, namely, that they hesitated to build up an organization which might have to be abandoned with great hardship to many individuals should the law be declared invalid, but I suggested that the law was a very beneficial one and that it should be enforced so long as it was on the statute books. I further expressed the earnest hope that it would never be upset. I closed by suggesting that in my judgment a larger appropriation than \$10,000 would be warranted, and that a larger appropriation could be used without creating a staff so large that it could not be taken care of in case the law was overthrown.

This sets before your mind fully my position. I think the law is one of the best that has been placed upon the statute books, and I sincerely hope that it will for many years be the law of the land.

As to the matter of testing the law, I personally have no desire to press the matter. The only question is whether it can be kept out of the courts. There is pressure on the Department of Justice to have the law tested.

I intended in my former letter to you to convey to your mind just what I have said in this letter. So far as I can see, I am thoroughly

in accord with you as to the desirability of this legislation and as to its enforcement, and I shall be glad at any time if you desire to take the matter up further with me to have the pleasure of a conference with you.

Very truly, yours,

D. F. HOUSTON, Secretary.

Mr. ROBINSON. Mr. President, I stated in the beginning that the Department of Agriculture had practically admitted the unconstitutionality of this act. Dr. Galloway, who represented the Secretary of Agriculture before the Senate committee, admitted its unconstitutionality, and said to the committee that the validity of the act ought to be determined before any appropriation was made further than the amount necessary to try out fairly the question of the constitutionality of the act. It was in part upon that statement by the representative of the Department of Agriculture, Dr. Galloway, that this amendment was inserted.

Secretary Houston, whose letter has just been read at the request of our friend the Senator from Connecticut [Mr. McLEAN], stated before the Committee on Agriculture and Forestry, I am informed, that fifteen or twenty thousand dollars was all he thought ought to be appropriated now. The committee took the view that since, as indicated by the letter, he is loath to permit the question of the validity of the act to be determined, it is of importance to try out this question fairly before embarking upon a policy which will involve the Government of the United States in an annual expenditure of several hundred thousand dollars.

Mr. President, another suggestion. So-called "insectivorous" birds destroy both useful and harmful insects, and therefore they are not themselves wholly beneficial. The advocates of this measure talk as if there were no such thing as good bugs and bad bugs; but the Department of Agriculture tells us that many insects are useful because they prey upon other insects which are harmful.

It is said that this law was intended, in part, to protect robins. These birds are very destructive of fruits. In some localities in New Jersey it has been impossible to ripen strawberries unless covered with netting. Robins are very destructive of cherries, having, it is claimed, damaged single orchards in a given season more than \$1,000. The same is true as to grapes.

Moreover, these birds distribute from tree to tree and from orchard to orchard the San Jose scale, which has occasioned millions of dollars' loss to fruit growers in various parts of the United States. It is also claimed that the robin is a means of spreading anthrax, which is very fatal to cattle. It may be well to remember that while it is desirable to conserve in every constitutional way our wild life in the United States, it is also necessary to regard the subject in its fair proportions.

It is impossible to enjoy the fruits and benefits of refined civilization and at the same time retain the peculiar and pleasing characteristics, including that wonderful diversity of wild life, of partially civilized communities.

It has been urged by some that the passage of the act of March 4, 1913, by Congress forecloses, as to this body, any question as to its constitutionality and that Congress is impliedly obligated to appropriate sufficient sums for the enforcement of any act it passes, without regard to the question of its constitutionality, so long as the act remains unrepealed. I do not take this view. The obligation of a Member of Congress to support the Constitution of the United States affects the individual consciences of Members, and I do not believe one is ever justified in proceeding in disregard for the Constitution. I do not question the right of others to determine this or any other subject for themselves.

If the act is clearly unconstitutional—and who can doubt it—or of gravely doubtful validity, no fair-minded person can be resentful if Congress insists, before creating a large number of offices and employees under its provisions and appropriating large sums for the payment of their salaries, that the validity of the act shall first be established. Does anyone here contend that the Federal Government should seek to exercise a power which it does not possess and override the plain provisions of the Constitution which prescribes its powers and duties? Does anyone doubt, since the attorney general of New York has declared the act unconstitutional, that it will either be unenforced as to that State or that its validity will be tested.

Another consideration: Ten thousand dollars is not adequate to enforce this statute throughout the United States; neither is \$50,000. To provide necessary employees in the 48 States for the proper enforcement of this act and for the prosecution of violations will require a very large force and, in all probability, several hundred thousand dollars annually. It is inconceivable that if the act is unconstitutional the department can continue to evade the final determination of the courts to that effect. Is it not, therefore, wiser, fairer, better to determine whether the

act is valid? Neither intolerance nor intimidation can escape the logical conclusion that the best thing to do, the sensible thing to do, is to establish in the usual way the right of the Federal Government to regulate this subject before becoming committed to a policy that will occasion fruitless expenditure of large sums of money.

I thank the Senate.

Mr. BORAH. Mr. President, I only wish to say a word somewhat in explanation of the small part which I have taken in this discussion.

When the migratory bird bill was before the Senate in the first place, as is known by the Senator from Connecticut, I entertained doubt as to its constitutionality. I have never read or heard any argument since which removed that doubt; but I was then, as I am now, in favor of the policy or principle. I should like to see the purposes of the bill carried into effect. I want to see these birds protected. I therefore took very little part in the discussion and did not seek to defeat the bill. I was willing to let it pass without any further discussion than to indicate my view as to its constitutionality.

Mr. President, there is a way in which these things can be accomplished. In the long run it would prove the wiser way. I have believed for many years that there would necessarily have to be a redistribution of the powers under our National Constitution. I do not believe there is a lawyer in the Senate who does not understand that we are constantly doing things which are in violation of the Constitution of the United States. We are exercising powers which the National Government has no right to exercise under the Constitution. This bill itself, in my judgment, contains many instances and illustrations of that kind. They are things which the States are not prepared to do, which the State can not do, and yet which, under the National Constitution, no provision has been made by the National Government for doing. The necessity and the great desire to see them accomplished leads us to do these things regardless of the provisions and requirements of the Constitution; and that is precisely the explanation of the passage of this law through the Senate of the United States. I should like to see all these things which really can not be done by the States done by the National Government, but I should like to see the necessary changes made in the Constitution in order that they might be done in an orderly and legal way.

I shall not vote against an appropriation to carry this law into effect, because it is upon the statute books; and, of course, I might be in error in my view of the proposition. But I want to say before sitting down that I doubt its being constitutional, and it will have to be tested in the courts. I presume the Department of Agriculture and the Department of Justice feel just the same way about it, and therefore they have hesitated about bringing the matter to a final determination.

Undoubtedly the Senator from New Hampshire [Mr. GALLINGER] was correct in his idea that as the law is upon the statute books there should be sufficient appropriation to test it, not only because it is there, but because the policy of it is well grounded. But I want to record, nevertheless, in passing, that in my opinion it is only one of many laws of this kind which are being passed without the real conviction and judgment of the Senate as to their constitutionality behind them. The evil of that is that they pass on to the courts, and the courts are bound by a different rule and obligated by a different view of the situation, very often holding those provisions of the statute which we pass as constitutional unconstitutional, and therefore the courts are constantly challenged throughout the country as being obstructive in their nature and in their disposition with reference to legislation.

The fact is that if Congress would apply the same rule that the Supreme Court of the United States feels bound to apply, a great number of these measures would never reach the Supreme Court of the United States, and the great and onerous burden would not be placed upon it of declaring many things unconstitutional which we believe as our final judgment are unconstitutional.

Of course, this is not the time to discuss it, but sooner or later we will have to consider the proposition of a redistribution of powers under the national Constitution. Either that, or we will have the arguments which have been made here to-day, to the practical effect that whatever we want to do we should do, regardless of the law behind it; that whatever the public welfare or public necessity seems to us to say should be done, we should do.

Now, that would be all right for the Parliament of England, but our fathers framed a different line of action and made a different kind of Government. Washington said:

If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be cor-

rected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

I concede the point made by the Senator from New Hampshire that there are plenty of precedents for this matter; that there are plenty of incidents to be found in which the same rule has been adopted with reference to putting a law upon the statute books, and plenty of the same kind of action upon the part of the departments to withhold it from a contest or from a test until such time as by custom and habit a disposition to contest it at all has passed away, and it settles into our jurisprudence and into our laws, without any decision being taken upon the question by any department of the Government. This may result in the same thing.

In concluding, what I have said is not in contravention of the policy of the law, but simply to express in passing my view of its constitutionality.

Mr. BURTON. Mr. President, during the discussion of this Agricultural appropriation bill we have been listening for more than an hour to very earnest and able legal arguments. The agriculturist has given place to the jurist and to the lawyer for the time.

The proper method to pursue, if a law is unconstitutional, is to immediately bring forward a proposition for its repeal, but so long as it remains upon the statute books and a certain amount of money is required for its execution we should provide that amount.

I have very grave doubt as to the constitutionality of this measure, though it clearly does not go further than other activities of the Agricultural Department. I especially deprecate the disposition which is so often manifested here to consent whenever an appropriation benefits a locality or State, but to protest in earnest language when it imposes a burden or controls action which those of the locality desire should be free and untrammelled. But to resume.

To my mind our plain duty, so long as this statute is on the books here, is to appropriate to carry it out. Let us consider for a few minutes where we will land if we pursue any other policy. Suppose a statute is passed which is clearly constitutional, but at the following Congress, by reason of a change of parties or otherwise, there is a reaction against the measure. Let us still further suppose you could pass a bill to repeal the law in the Senate but not in the House. What would happen? In that branch of Congress opposed to the execution of that law the argument could be made that it is unconstitutional; consequently we will make no appropriations for its enforcement. So the law on the statute books, a law which should be enforced, would be nugatory.

I say we are starting out on a dangerous road when by reason of alleged unconstitutionality we refuse an appropriation to carry out a statute deliberately passed by both House of Congress.

Mr. WEST. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Ohio yield to the Senator from Georgia?

Mr. BURTON. Certainly.

Mr. WEST. I see the trouble in this appropriation bill. If we increase the appropriation, believing that it is unconstitutional, it would require several hundred thousand dollars in order to have the appropriation sufficient to furnish perfect machinery in all the States to carry out this law.

Mr. BURTON. That is, the Senator means the execution of the law itself.

Mr. WEST. Yes, sir; the execution of the law itself. My idea about this appropriation of \$10,000 is that before the Government goes to all that expense let us have \$10,000 appropriated in order to test the constitutionality of the law.

Mr. BURTON. Let me say to my friend from Georgia that the expense of the legal department in defending the law does not belong to the Agricultural appropriation act, but rather to the Department of Justice. The Department of Justice would be called upon to defend the measure if its validity were tested in the courts.

Mr. WEST. I understand that, but this appropriation will be sufficient in a measure for a test case in order that somebody may be brought before the courts and a test case made of it.

Mr. BURTON. Let us see where we would place ourselves under such a plan as that. Such a course would be an express admission that a statute which we have deliberately passed has no binding force, even though it may not be questioned. It would be saying we will do nothing to carry that statute into effect, nothing to regulate the movement of migratory birds.

We would absolutely abandon the enforcement of the law, because some one has raised the question of constitutionality, and that too, as I understand, when there is not a single case pending in any of the courts in which the validity of the act has been questioned. I may be in error in that, but I understand that there is not a single case pending, and that no one has chosen anywhere to defend himself for any infraction of this law.

Mr. BORAH. I understand there has been a kind of an agreement all around that nobody should test it, that everybody desires it should go along because it is a good thing, and they are afraid if it gets up against the courts it will be knocked out.

Mr. WEST and Mr. McLEAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and to whom?

Mr. BURTON. I think such a situation is hardly possible. That would involve an exceedingly amicable disposition toward the measure all over the country. If the law is so generally acquiesced in that no one cares to defend himself or test its validity, I do not see how it is incumbent upon the officers of the Government, nor yet upon Congress, to be disturbed by fears as to its constitutionality.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. BURTON. I yield first to the Senator from Georgia, if the Senator from Oklahoma will pardon me.

Mr. WEST. Wherever there is a law the constitutionality of which is doubted, the time will come when that law will be tested, and the position I take is that when we have gone on and furnished the perfect machinery of this great Government in every State at a large expense, and then it is brought up before the Supreme Court of the United States and the law is declared unconstitutional, we have unnecessarily spent a great deal of money before the matter has been tried out.

Mr. BURTON. As a question of public policy I can not agree with the Senator from Georgia. A mere phantom might be raised to cast doubt upon the validity of the law when, as in this very case, there is not a single person contesting its validity.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Will the Senator from Ohio yield to the Senator from Oklahoma?

Mr. BURTON. Certainly.

Mr. GORE. I will say to the Senator from Ohio that in the majority of cases, I understand in practically all of the cases, the fines have been nominal, that they have been so small, indeed, as not to justify the prosecution on an appeal. There is a South Dakota case, I understand, in which the fine was \$100, and in which the question of the constitutionality of the law has been raised. My understanding is that the case will be prosecuted in the Supreme Court.

Mr. BURTON. Then, there is one case in which a doubt has been raised as to the validity of the law?

Mr. GORE. There is one case of which I am advised. There may be many others. So far as I know, I have understood that there has been a disposition on the part of the friends of the measure not to bring it to a final test.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. BURTON. I yield.

Mr. GORE. I may add the committee signified to the Secretary of Agriculture that it was the desire of the committee that the constitutionality should be tested, and there will be no difficulty whatever in obtaining an adequate appropriation in case the constitutionality of the measure should be sustained. If I may add a sentence, the committee was unwilling to create a large force of Government employees who were to be covered into the civil service, as we were advised, on April 20, and have this corps of employees on our hands in case the measure should fail when finally tested in the courts.

The Senator from Ohio and other Senators will remember that last year we had some 300 employees dismissed from the service of the Government, and there was a lot of scurrying around here in an effort to reinstate them in the service. We thought it unfair to those employees and unfair to the Government to have this policy continue until we knew whether the law would stand when tested in the courts.

Mr. WILLIAMS. Of course, I can understand perfectly well how the committee thinking a given law unconstitutional could refuse to appropriate for it, notwithstanding the objections suggested by the Senator from Ohio that that would be virtually having one House repeal a law which had been passed by two Houses and the President. Each Member of each branch of the

Legislature is sworn to construe the Constitution whenever he votes. The question I should like to ask the Senator from Ohio is this: Does the Senator know of anything concerning which it may be soundly predicated that \$10,000 worth of it is constitutional and \$50,000 worth of it is unconstitutional?

Mr. BURTON. I think not. I think if we appropriate \$10,000 here we—

Mr. WILLIAMS. That seems to me to be the logic of the committee's action.

Mr. BURTON. We have recognized that the law should be enforced \$10,000 worth. There would be no more serious strain on the Constitution if we appropriated fifty thousand or one hundred thousand dollars.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. BURTON. Certainly.

Mr. GORE. Perhaps I ought to say at this point in behalf of the committee that I think a number of the members of the committee desired to connect this appropriation with the suggestion that it should be used in the trying out of the constitutionality of the act, if that issue should be raised and presented to the department. There were other members of the committee who thought an express challenge of the constitutionality of the measure in an appropriation bill would hardly be advisable, and that sentiment prevailed. So the express direction to use this money in determining the constitutionality of the act was omitted from the bill. That is the reason why we appropriated \$10,000. There were some of us who thought that since the statute had been duly enacted we were hardly justified in withholding an appropriation to enable the Secretary of Agriculture to administer the law. The Secretary himself suggested that \$15,000 or \$20,000 would enable him to maintain his organization and to enforce the measure in an efficient way, as has been done heretofore.

I may say that I think if the Senator from Arkansas [Mr. ROBINSON] had been present when that suggestion was made the committee would probably have raised the amount to \$20,000, but as he had been especially active in the matter we were unwilling to take action during his absence. After he returned the subject was not again referred to. It was an oversight, I may say.

Mr. BURTON. Mr. President, as long as this law is upon the statute books it is for us to provide the means to enforce it. The statement has been made that we must observe the Constitution. There is no presumption that Congress has passed a law that is unconstitutional, particularly when there has been no decision of the courts declaring it invalid.

I may concede for the sake of argument that if there is a law that is generally conceded to be unconstitutional, a Member of the House or Senate might well hesitate in voting for an appropriation to carry it out. But that is not true of this measure. The laws already referred to, the appropriation for the extinction of the boll weevil, the law authorizing officials of the United States to go right within the borders of a State of this Union and seize upon cattle that never have been outside of that State, and very likely never would go beyond its borders, are certainly as much an infraction of the Constitution as anything contained in this statute.

Everyone will concede that it is a question about which there can be an honest difference of opinion. So I trust, Mr. President, the provision made by the House may prevail and this amendment be voted down.

I want to say just a word, although I had not started out to do so, about the desirability of the enforcement of such a measure. There is a certain balance in nature. Birds destroy noxious insects, and if you kill off the birds the insects thrive and cause widespread damage and even destruction to crops as well as to many forms of animal life.

One of the most serious injuries to our agriculture in the last 10 or 20 years has been the indiscriminate destruction of certain birds, the preservation of whose lives is necessary to maintain the balance of which I have spoken.

Mr. LANE. Mr. President, I have listened with a great deal of curiosity to the argument made by the Senator from Arkansas [Mr. ROBINSON], to the effect that this legislation is unconstitutional, and, like the Senator from Ohio [Mr. BURTON], who has so ably addressed himself to that contention, I can not understand why it is not as constitutional as is another provision in this bill which gives the Government the power to enter the States for the destruction of the boll weevil or to do so for the prevention of disease among cattle which are to be transported from one State to another. It seems to me that the same general principle applies to the one that applies to the other. It may be necessary at any time for the benefit of the people of

the country at large to enter a State for the mitigation of any pest which is a menace to the Nation at large. It should lie, I think, well within the constitutional power of the General Government to take the proper steps in any State in order to mitigate such a pest. Inasmuch as migratory birds do destroy such pests, without cost to the Government, I do not see why legislation for their protection should be more subject to constitutional restrictions than would be the sending of an employee of the Government, whose expenses the Government has to pay, into the same State for identically the same general purpose, though it may be in the pursuit of a different type of pest.

It seems to me that every argument would be in favor of the protection of the birds. They do the work of destroying insects without cost to anyone and to the benefit of people living in adjoining States as well.

If you permit migratory birds in the spring season to be killed in certain favorable localities while they are en route to their nesting grounds, they are placed at a great disadvantage. There are certain strategic points or passways where, if they are allowed to be killed, it will not be long before they will become exterminated. The wild pigeon of the South, and of the East for that matter, has in this way been exterminated. In my section of the country they have exterminated the great bulk not only of the migratory birds but of larger game in this manner.

I remember in the winter of 1881 there came out of the Rogue River Valley 10,000 deer hides, which sold on the market for 50 cents each. Those deer were killed for their hides. I have hunted in the mountains and have seen the carcasses of deer left there to rot. They were killed for their hides, worth 50 cents apiece, by hide hunters. The elk which ranged along the coast of Oregon formerly could be sometimes found in bands of 500 or 600. An elk will weigh as much as a thousand pounds. They were practically exterminated for their hides at 50 cents apiece. I do not know of a hundred in all to be found in the State. I know of but one little band up in the mountains of probably a dozen left on the old ground where I used to hunt. Some men will kill them for a tooth to wear for a watch charm.

The geese and ducks in our country in the early days along the Columbia River flats near Portland were countless in numbers, but now they are very scarce. They are protecting them now; they are feeding them; they are actually putting out food for them in order to attract them there. So it has been all through our country with every kind of game, fish, and fowl which were there in countless thousands in the early days. Of course, they had to retreat from civilization, and that was proper; but the needless slaughter of them, in my opinion, is a great wrong; it is a crime against nature. No man knows nor can he foretell what the harm, the damage, will be to the future of the country. It disturbs the balance of nature, and I do not see for the life of me how it can be any more unconstitutional for the Government to say that these wild creatures, which destroy pests and are a benefit to the country, shall be protected for that reason, than it is to send a man into the same State—as we have a perfect right to do—to kill insects of various kinds in other ways. I do not understand any such fine distinction, and I do not believe that if one is constitutional the other is unconstitutional.

Mr. WEST. Mr. President, I shall not take issue with Senators. These two cases, so far as the law is concerned, may be on all fours with each other, but here is the difference: My purpose in opposing a large appropriation in this bill in connection with the enforcement of the migratory bird act is on account of the necessary machinery which would have to be furnished by the National Government under the civil-service law, although at some time near at hand its constitutionality might be questioned and decided in the courts. A large expenditure would be placed upon the Government, even before the act could be tested, if we should undertake to go into every State and place civil-service appointees there. Consequently, as I have already stated, I think we should have only a small appropriation for this work if there is to be any appropriation at all.

MEMORIAL EXERCISES, BROOKLYN NAVY YARD.

Mr. CLARKE of Arkansas. Mr. President, we are advised that the funeral ship, the U. S. S. *Montana*, bearing the bodies of the American marines who lost their lives in the conflict of arms at Vera Cruz, will reach our shores on Monday. I am sure that it is the universal sentiment of the Senate that its Members will deem it a mournful pleasure to testify their respect for the memory of these heroic men by having this body stand adjourned on the occasion of the arrival of this ship on her sad mission. I therefore move that when the Sen-

ate adjourns to-day it stand adjourned until Tuesday next at 12 o'clock meridian.

The motion was agreed to.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

Mr. WILLIAMS. Mr. President—

Mr. MARTINE of New Jersey. I rise to a point of no quorum. This is a very important subject.

Mr. WILLIAMS. I myself rose for the purpose of suggesting the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Martine, N. J.	Shively
Brandeggee	Gronna	Norris	Simmons
Burleigh	Johnson	Overman	Smith, Ga.
Burton	Jones	Page	Stone
Chamberlain	Kenyon	Perkins	Stout
Chilton	Lane	Robinson	Tillman
Crawford	Lee, Md.	Shafroth	Warren
Dillingham	Lewis	Sheppard	Weeks
Gallinger	McLean	Sherman	West

The PRESIDING OFFICER. Thirty-six Senators have answered to their names. There is not a quorum present.

Mr. MARTINE of New Jersey. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until Tuesday, May 12, 1914, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 9, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of life and love, we pour out our hearts in gratitude to Thee for all the sweet and tender affections of the home, the sanctity of which is Mother; a name which challenges the respect of all, inspires the fondest recollections, and awakens the deepest reverence. In her, patience knows no bounds; in her, is sacrifice personified; in her, faith finds its highest expression; in her, hope burns brightest; in her, religion never fails; in her, the love of heaven is reflected. No language can express the heroism, power, and beauty of a mother's devotion; and the nation that holds sacred the charm of motherhood will not fail in its quest for righteousness, truth, justice, mercy, liberty. So long as she lives in the heart of the Nation, so long will it live. We thank Thee that our Republic has set apart a day sacred to her memory. God bless our mother. May she ever be an inspiration to nobler life and purer living for all the world. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 13770. An act to consolidate certain forest lands in the Sierra National Forest and Yosemite National Park, Cal.;

H. R. 12291. An act to increase the limit of cost for the extension, remodeling, and improvement of the Pensacola, Fla., post office and courthouse, and for other purposes; and

H. J. Res. 263. Joint resolution designating the second Sunday in May as Mother's Day, and for other purposes.

W. HENRY PULLIAM.

Mr. SLEMP. Mr. Speaker, I ask unanimous consent to address the House briefly concerning the first Virginian who died at Vera Cruz.

The SPEAKER. The gentleman asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. SLEMP. Mr. Speaker, It becomes my sad duty to announce to the Congress the death of W. Henry Pulliam, the first Virginian to offer his life for his country in the hostilities with Mexico. He was a constituent of mine, and comes from the sturdy stock of the people of our Commonwealth, who have been

ready at all times to offer themselves in the defense of their homes and their country. His death causes universal sorrow in the district in which he lived, and I insert an article from the Southwest Times, which voices the sentiments of his people regarding the great and patriotic sacrifice that he has made.

The article is as follows:

"A SON OF PULASKI FIRST VIRGINIAN TO DIE AT VERA CRUZ—W. HENRY PULLIAM, WHO WAS WOUNDED AT AMERICAN OCCUPATION OF MEXICAN CITY, DIED TUESDAY—MESSAGE LATE YESTERDAY AFTERNOON—BODY WILL BE BROUGHT HOME FOR INTERMENT.

"W. Henry Pulliam, a Pulaskian, was the first Virginian whose life was sacrificed in the hostilities with Mexico. Wounded ashore at Vera Cruz on April 22, the young man lingered until yesterday (Tuesday) morning at 8 o'clock, when he suddenly died as a result of his wounds received in the engagement in the taking of that port by the American marines. As briefly stated in yesterday's Times, a message was received by his father, Mr. George W. Pulliam, stating that the young man was dead, the message being received here at 3.17 in the afternoon.

"The news of Mr. Pulliam's death was received by the Navy Department at Washington from Admiral Badger. The same was conveyed to Pulaski through Secretary of the Navy Daniels in the following message:

"It is with the deepest regret that the department has received information from the commander in chief of the Atlantic Fleet that your son, Mr. Henry Pulliam, fireman first class, died suddenly Tuesday, May 5, 8 a. m. I extend to you my deepest sympathy in the loss of your son. His heroic courage gives him a place among our country's patriotic defenders.

"Please telegraph if you wish the remains sent home.

"In response to the message the grief-stricken father wired the department to send the remains home, and asked to be advised when they could be expected to reach here. When the body reaches home it will be received in a manner fitting that of a hero who gave his life in the honorable discharge of the duties which his country called upon him to do. The interment will be attended with honors fitting the true American soldier who has given his life in the defense of his country, details of which will be announced later.

"The deceased died rather suddenly, as expressed in the message received. As the messages of his condition were received by his father from time to time the seriousness of the young sailor's condition was indicated. Relatives had thus been prepared for the sad tidings. The gunshot wound which cost him his life penetrated his chest, abdomen, and spinal column and caused paralysis in the lower part of his body. Had he survived his wounds, it is probable he would have been helplessly crippled for life. From the nature of the wound it appeared that he had been fired on from above.

"William Henry Pulliam was the son of Mr. George Pulliam, of this place, his father coming here from Carroll County, and is now an employee of the General Chemical Co., with which several of the brothers are also connected. He was born about 32 years ago on Maple Street, in the residence now occupied by Dexter Ratcliffe. He was a splendid type of American manhood, a picture of robust health from among the mountains of southwest Virginia. He was one of the eight children—two sisters, Mrs. M. E. Shelton, of Roanoke, and Mrs. C. W. French, of Front Royal, Va.; and five brothers, Joseph, Charles, Robert, and Walter Pulliam, of Pulaski, and George Pulliam, of Providence, R. I. A younger sister died some months ago at Front Royal while visiting her sister. His mother is also dead. He visited home the last time last spring, when he returned to his duties aboard ship after spending his furlough here among home folks.

"He was serving the fourth year of his enlistment in the Navy, and his time would have expired early next year had he lived to that time. He was a fireman of the first class on the battleship *Utah*. He had risen through his integrity and general ability and attention to duty to the first line on his ship, and his record was a good one, as borne out by the brave spirit with which he met his death. He was fond of the life and would doubtless have reenlisted had he lived, for sea life seemed to have a fascination for him. He met his death in the brave discharge of his duties, and Pulaski, his home town, with his country, will pay the tribute to which he is justly entitled as her citizens gather about the grave which will receive his body when it was returned to his native home to rest."

FRANK DEVORICK.

Mr. VOLLMER. Mr. Speaker, I ask unanimous consent to address the House for three minutes about an Iowa seaman who was killed at Vera Cruz.

The SPEAKER. The gentleman from Iowa asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. VOLLMER. Mr. Speaker, he was only an Iowa boy! His humble home stood on the rolling prairie, amid the waving cornfields of that State. The son of a poor immigrant, his name, Frank Devorick, may sound strange, harsh, foreign, to those who pride themselves on the untainted blue blood of ancient native lineage. But he was an American, and nowhere does the spirit of true Americanism boom with more of its original luster and native intensity than among the descendants of the immigrant in our Middle West. Particularly is this true in the great farming State of Iowa, where the public school has opened the doors of the mind to higher thoughts and nobler aspirations for a greater percentage of the people, as determined by the statistics of literacy, than in any other State in the Union. There, in the heart of the continent, 1,200 miles from the seaboard, the ambitious boy dreams over his schoolbooks of the far-away billowy ocean, "boundless, endless, and sublime," and of some day sailing across it under the flag of his country, the emblem of the highest civilization the world has ever seen. This Government, to his unspoiled mind, is a great beneficent power, whose citizens are sovereign, self-governing free men. His unsophisticated views have not been formed in the debasing environment of one of our great cities, with their machine systems of political control, where the omnipotent boss gives the lie to democratic pretensions and the people lose their faith in republican institutions. But out there on the prairie they still have the original notion of the thing, pure and undefiled, and hence whenever the country calls, they respond joyously with the flower of their young chivalry. There you will find the splendid brain and brawn, pulsing with love of country, so pure and so powerful as to raise ordinary men of common clay to the spiritual heights of consecration.

When the day of wrath shall come and the teachings of the fathers shall seem all but submerged under the engulfing tide of socialism and anarchism; when the mob of great metropolises, the Huns and Vandals of the future, shall lay iconoclastic hands on the pillars of the established order; when American patriotism shall seem dead under the assaults of Utopian visionaries who despise and condemn love of native land, you will find out on the farms of the Middle West the reserve supply of the Republic. [Applause.] Thus we find this Iowa boy, who never saw the army of the discontented trailing after the red rag of revolution, enlisting wholeheartedly under the beautiful starry banner of his country, whose every fluttering fold speaks to him of liberty and glory as no other flag on earth can speak, and gladly offering his young life for it—one of the first to make the sacrifice—far from his prairie home, on the burning sands of the palm-fringed shores of the Spanish Main at ancient Vera Cruz. But when I think of this boy dying down there, Mr. Speaker, though I honor and have attempted to pay a feeble tribute to the glory of the sacrifice, I can not help saying that I wish that Mexico were in hell rather than that hell in Mexico should continue to take from us an increasing toll of such precious young lives. As for the humble name of Frank Devorick, it takes its place among the names of American heroes forever enshrined in the Valhalla of a grateful Nation. [Applause.]

ORDER OF BUSINESS.

Mr. BARNHART. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARNHART. I have three privileged resolutions that I would like to submit this morning, because those interested in them are present, and I ask unanimous consent that whatever time is taken in the consideration of these resolutions may be added to the time for general debate on the pending pension appropriation bill.

Mr. BARTLETT. Mr. Speaker, if the gentleman will permit, I will ask unanimous consent that the time consumed before we go into Committee of the Whole House on the state of the Union shall be added to the time allowed yesterday for general debate on the pension appropriation bill.

The SPEAKER. This time will not be taken out of the time for general debate.

Mr. MANN. But the time was limited to a certain hour.

Mr. BARTLETT. The order is that general debate shall close at 4 o'clock.

The SPEAKER. The Chair was under the impression that the order was for so many hours. The gentleman from Georgia asks unanimous consent that whatever time is consumed before we go into the Committee of the Whole House on the state of the Union on the pension bill shall be added to the time, so that the general debate may be extended that much longer after 4 o'clock.

Mr. MURRAY of Oklahoma. Reserving the right to object, is the extension of time to start from this moment?

The SPEAKER. No; it is to be considered as having begun at 12 o'clock to-day. Is there objection?
There was no objection.

MEMORIAL EXERCISES, BROOKLYN NAVY YARD, NEW YORK.

The SPEAKER announced as the committee on the part of the House to attend the exercises to be held at the navy yard in Brooklyn, N. Y., on Monday, May 11, 1914, in honor of the men of the Navy and Marine Corps who lost their lives at Vera Cruz, Mexico, Mr. FITZGERALD, Mr. MAHER, Mr. CALDER, Mr. LOGUE, Mr. GREENE of Vermont, Mr. THACHER, Mr. DEITRICK, Mr. SABATH, Mr. DALE, Mr. STEVENS of New Hampshire, Mr. WILSON of Florida, Mr. WALSH, Mr. WALKER, Mr. DONOHUE, Mr. DUPRE, Mr. GOLDFOGLE, Mr. WITHERSPOON, Mr. DOOLING, Mr. SLEMP, Mr. GRIFFIN, and Mr. VOLLMER, with the understanding that if Mr. WALKER does not reach Washington in time to go, Mr. BARTLETT shall take his place on the committee.

PRINTING FOR COMMITTEE ON PENSIONS.

Mr. BARNHART. Mr. Speaker, I submit a privileged resolution and ask for its present consideration.

The SPEAKER. The Clerk will report the resolution.
The Clerk read as follows:

House resolution 489 (H. Rept. 647).

Resolved, That there shall be printed as a House document 1,000 copies of revised hearings before a subcommittee of the Committee on Pensions having under consideration various bills introduced and referred to the said committee for the purpose of pensioning the survivors of the Indian wars that occurred after the late Civil War.

Mr. MANN. I make this suggestion to the gentleman: This resolution provides that there shall be printed as a House document 1,000 copies. The ordering of anything printed as a House document carries with it the printing of 1,300 and odd copies. I suppose what the gentleman wants is 1,000 extra copies for the use of the committee, or the Members.

Mr. BARNHART. We talked that over, and the gentleman who submitted the resolution [Mr. KEATING] was entirely satisfied to take 1,000 copies.

Mr. MANN. Yes; but he will not get 1,000 copies. The printing of a House document means, I think, that the House gets 300 copies, the Senate 200 copies—I do not remember the exact number—and that the remainder go to the depositories scattered throughout the country, a certain number to the departments, and so forth.

Mr. BARNHART. The committee fully realized that at the time we considered the resolution; but this is simply to include something which was omitted from the print of the hearing.

Mr. MANN. I understand. Why not print it as a House document, and print 1,000 additional copies?

Mr. BARNHART. The purpose of reprinting the matter was that it affects very largely the soldiery of the West who fought in several Indian wars. The gentleman from Utah [Mr. HOWELL] had some remarks to submit to the committee, but at the time of the hearings he was absent and did not return until the hearings were closed. What he wanted to say and has submitted is of importance to the committee and to the country generally, and the committee has asked for a reprint, which they could not have except by a simple resolution, and the cost will amount to \$19.50.

The SPEAKER. Does either the gentleman from Illinois or the gentleman from Indiana wish to offer an amendment?

Mr. MANN. Mr. Speaker, I move to strike out "1,000 copies of" and insert the word "the," and add to the resolution the following: "One thousand additional copies for the use of the House."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend the resolution, page 1, line 2, by striking out "1,000 copies of" and insert the word "the," and add to the resolution the following: "One thousand additional copies for the use of the House."

The amendment was agreed to.

The resolution as amended was agreed to.

MILITARY POLICY OF UNITED STATES IN MEXICAN WAR.

Mr. BARNHART. Mr. Speaker, I present the following privileged resolution and ask for its consideration.

The Clerk read as follows:

House resolution 493 (H. Rept. 648).

Resolved, That there be reprinted as a separate document, for the use of the House of Representatives, 3,000 copies of chapter 15 of the Military Policy of the United States, by Gen. Emory Upton, entitled "The Military Policy of the United States during the Mexican War," being pages 195 to 222, inclusive, of Senate Document No. 494, Sixty-second Congress, second session; 1,000 copies of the same to be distributed through the folding room of the House and 2,000 copies through the document room of the House.

Mr. MURDOCK. Will the gentleman explain the resolution?

Mr. BARNHART. This refers to some comments on our military policy in the old Mexican War.

Mr. HAMILTON of Michigan. What is supposed to be its present value?

Mr. HAYDEN. Mr. Speaker, I am the author of the resolution. It proposes to reprint a chapter from a public document entitled "The Military Policy of the United States," by Maj. Gen. Emory Upton, a distinguished officer of the Civil War, and the author of "Upton's Tactics." After the close of the war he made a trip around the world to study the military systems of Europe and Asia. The document from which this chapter is to be reprinted is considered by all military authorities to be one of the greatest works ever issued on the subject of American military history. Unfortunately the general died before he could complete the chapters relating to the last two years of the Civil War. The entire work should be studied by every Member of Congress, because it treats of our wars from a totally different viewpoint than that of the ordinary historian.

The particular chapter that I desire to have printed deals with the Mexican War. It gives the instructions to the military commanders prior to the war and other interesting details. It gives a summary of the military legislation passed by Congress during the war and the effect of that legislation. It shows the evil of short enlistments. An act of Congress provided for enlistments for 12 months, and the result was that when Gen. Scott arrived about halfway between Vera Cruz and the City of Mexico terms of service of about 4,000 of his men expired, and he had to wait a solid year until new troops were recruited and sent to him before it was possible to capture Mexico City. I am sure that every Member of the House will read this extract with great interest. I must confess that the first time I read it I found the entire work more interesting than any novel.

Mr. HAMILTON of Michigan. The gentleman thinks that this special chapter may be of special value in the present situation?

Mr. HAYDEN. We can only judge the future by the past.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DRAINAGE SURVEY, RED LAKE RESERVATION.

Mr. BARNHART. Mr. Speaker, I present the following resolution and ask unanimous consent for its present consideration.
The Clerk read as follows:

House resolution 481 (H. Rept. 646).

Whereas Congress by act approved June 30, 1913, authorized a drainage survey of the diminished Red Lake Reservation in Minnesota to be made, together with an estimate of the cost of such drainage project; and

Whereas such survey and estimate has been made by the Department of the Interior and a report thereon prepared: Therefore be it

Resolved, That the report of said survey, with illustrations, be printed as a public document, and that 500 additional copies be printed for the use of the House document room.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that it be printed as a House document and not a public document.

Mr. BARNHART. If it were printed as a house document it would make a saving of 1,351 copies.

Mr. MANN. It will be entitled a House document.

Mr. STEENERSON. Mr. Speaker, I move to strike out the word "public" and insert the word "House."

Mr. FITZGERALD. Will the gentleman yield?

Mr. BARNHART. Yes.

Mr. FITZGERALD. How was this survey made, under what authority?

Mr. BARNHART. Under the authority of the Government.
Mr. FITZGERALD. Why is it not printed by the Interior Department?

Mr. BARNHART. I will yield to the gentleman from Minnesota. It never has been printed.

Mr. FITZGERALD. Why does the department not print it?

Mr. BARNHART. I do not understand why.

Mr. FITZGERALD. Why should the congressional allotment for printing be charged with the expense of printing for the Department of the Interior?

Mr. MANN. Because the House Members want it.

Mr. FITZGERALD. The fact is we are having complaints about the cost of printing. The gentleman from Indiana, chairman of the Committee on Printing, brings in this resolution putting the cost of departmental printing on the congressional allotment. There will be no end to it.

Mr. MANN. I suggest that sometimes, where an investigation is made and the department does not care to have it printed for their use and Members of the House desire them for their use, Congress should print it. In this case the gentleman from Minnesota has a live matter before the House, and he wants this document in connection with it for the use of the Members of the House. There are a lot of these drainage propositions before Congress, and this document is for the benefit

of the Members of the House, for all of the Members of the House interested in the proposition.

Mr. BARNHART. The Committee on Printing tries to check these matters. In this case there is a demand for the publication. The expense of the survey has been incurred and the result of it is a matter of general importance and a matter of public benefit. The cost of the item is \$135.

Mr. FITZGERALD. The Department of the Interior gets nearly half a million dollars for printing every year. Because some Member of Congress has an interest in some particular document it will not print the result of its investigations out of its own appropriation, but will leave it to the resource and activity of the various Members of Congress interested in the matter to get the printing done at the expense of the allotment for printing for Congress. In that way our printing expenses increase very largely, and the department augments its appropriation by unburdening its work at our expense.

Mr. BARNHART. I fully appreciate the statement of the gentleman from New York, but there are exceptions. If the gentleman from New York will be on hand when the general printing revision bill is up—

Mr. FITZGERALD. But the time to stop it is now, not when that bill is up, because there is not much prospect of that bill coming up.

Mr. BARNHART. Mr. Speaker, I am not so sure that this appropriation ought to be stopped. I think it is a perfectly just request or I would not have reported it.

Mr. FITZGERALD. Why not make the Department of the Interior pay for it?

Mr. BARNHART. The Department of the Interior said it could not furnish them when I inquired of them, and I had to let it rest at that. I had no means of compelling the department to furnish them.

Mr. FITZGERALD. It is only about two months to the first of the fiscal year, and that department will then have its new appropriation and could print the report then.

Mr. BARNHART. These ditches are liable to run dry before that time.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Minnesota.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

The SPEAKER. The Chair will state that the general debate on the pension bill will be limited, under the unanimous-consent agreement, to 4.35 o'clock p. m.

PENSIONS.

Mr. BARTLETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15280, the pension appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the pension appropriation bill, with Mr. MURRAY of Oklahoma in the chair.

Mr. BARTLETT. Mr. Chairman, will the Chair please inform me how the time stands?

The CHAIRMAN. The gentleman from Georgia has used 2 hours and 1 minute. The gentleman from Minnesota has used 1 hour and 11 minutes, and the gentleman from Illinois has 12 minutes remaining.

Mr. BARTLETT. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. DIES]. [Applause.]

[Mr. DIES addressed the committee. See Appendix.]

Mr. DAVIS. Mr. Chairman, I yield one hour to the gentleman from Michigan [Mr. FORDNEY]. [Applause.]

Mr. FORDNEY. Mr. Chairman, although I differ with my Democratic friends on the question of levying duties on foreign imports for protective purposes, I do not impugn their motives. I only claim they are misguided in judgment. All men wish to see our people prosperous, our factories and farmers successful. Republicans believe our success largely depends upon a protective-tariff law to bring prosperity to our people. The Democratic Party believes in a tariff for revenue only, or free trade. I claim both parties can not be correct in their contentions. I am sincere in my opinion and believe the Democrats are sincere.

The people of this country are divided into three distinct divisions. About one-third of our people live in the rural districts—the farmers. About one-third belong to the laboring classes and about one-third to the professional classes—doctors, lawyers, ministers, business men, and such like. Any measure

enacted into law that discriminates against the first class mentioned—the agriculturists—is wrong. The farmers produce the bread and butter for all the people. No doctor, no lawyer, no minister, can live on his library. They depend on the farming class to furnish the necessities of life—food supplies. I say any law that discriminates against the farmers of this country, who are the bone and sinew of the Nation, is neither equitable nor just, and is an assault upon American prosperity.

The Democratic Party is in full power in national politics and is making laws in keeping with their teachings. Many laws of importance have been and are being made by that party which are directly in opposition to principles laid down by the Republican Party. The Democrats are not in power by having received a majority of the votes cast at the last general election, for they received something like 2,450,000 less than a majority. Their being in power was occasioned entirely by a family row in our own party, due to the high regard entertained by some of our people for Mr. Roosevelt. That family row so divided us that the power to legislate was thrown to our opponents.

This country has never prospered under Democratic free-trade rule. Free trade or tariff for revenue only brings foreign labor and foreign products in competition with American labor. Such laws can not lift up degraded labor in foreign countries to a level with the American standard of living, but certainly brings American labor down toward the level of the cheap labor of other countries with whom we must compete.

Over 60,000,000 people live directly south of the United States in the 13 Republics of South America. Each one of these Republics exists under a distinct and different form of government. The Guiana Republics, for the past 400 years controlled by England, France, and Holland, find their people of the laboring class, on account of their free-trade laws, receiving but 30 cents per day, not including board. Chile, a country of low tariffs and export duties, finds her common people in poverty, receiving but 24 to 30 cents per day in gold, not including board.

However, some of these South American Republics have high protective tariff laws, and their manufacturing industries and laborers are prosperous. In Brazil, with high-tariff laws, the scale of wages is as high, if not higher, than in the United States.

China and Japan, free-trade countries, find their common people in poverty and degradation. In short, free-trade countries the world over all have a low standard of wages and living for their common people, and high-tariff countries are correspondingly prosperous. This should be sufficient evidence that the Republican policy of protection is the only one under which the people of the United States, as a whole, as well as capital, can or will be prosperous.

What is the policy of a man who believes in free trade or tariff for revenue only? It is to give American markets to people of lands across the sea and their beneficiaries—the importers; to put the American mill owners out of business and the American wage earners out of employment, in order that he may buy, in foreign countries, articles made by cheap labor, when such articles could and should be made by American labor, enjoying the American standard of living and wages.

A Democratic Member of the House from Illinois, who took a prominent part in the framing of the agricultural schedule in the Underwood tariff law, boasts, so I am informed, that at this early date under the new law we have imported large quantities of Argentine corn. Certainly the importation of Argentine corn is detrimental to the welfare of corn growers in the United States. Argentine corn for the past few months has supplied the Corn Products Refining Co. and the National Starch Co. Both of these companies, if my information is correct, are owned by the Standard Oil Co. A very charitable act, indeed, to help the Standard Oil Co., to the detriment of the farmers of the United States—quite in keeping with Democratic policies.

Our farmers can easily meet competition with other nations of the world, if they are willing to get down to that nation's scale of wages, but such a proposition is a gross insult to American freemen. However, Secretary Redfield, a member of the Democratic administration's Cabinet, boasts that importations of meat have increased from 865,000 pounds during the last three months of 1912 to 33,500,000 pounds for the last three months of 1913 under free trade. Mr. Redfield, I say, boasts of that fact. Our cattle raisers, when going to the polls to vote, will undoubtedly remember that boast.

The farmers of the States of Michigan, Wisconsin, and Minnesota produce large quantities of potatoes annually, yet our Democratic friends are boasting of enormous importations of foreign potatoes. No doubt, when our farmers go to the polls to vote next fall and in November, 1916, they will remember that boast.

In framing the Underwood tariff law the authors thereof evidently had in mind but one class of people in the United States—the consumers, who are not producers of agricultural or manufactured products, forgetting that no consumer can consume unless he obtains employment to obtain money with which to purchase. In framing and enacting this law our Democratic friends have made it possible for labor across the sea to find added employment, and to have increased purchasing power, while thousands of our consumers are walking the streets, without employment or purchasing power, and consuming in a most meager manner.

Lower tariff means increased importations of foreign goods and greater exports of gold to pay for the same, all of which is most disastrous to the prosperity of the people of the United States.

Our Democratic friends know full well that each and every panic that ever existed in this country was largely due to heavy importations of products of the farm and the factory and heavy exports of gold to pay for the same, leaving us without gold and with a surplus of farm and manufactured products, with a depressed market in which to sell.

The following article recently appeared in the Philadelphia Inquirer and is an excellent explanation of some of the disadvantageous effects of the free-trade theory and the benefits of protection to American capital and labor:

My only capital is my muscle, energy, and integrity, and, being a cripple, I am often handicapped in the race for bread. But there is red blood in every vein and artery in my body and a heart that throbs for every worker, but especially for the wage earner.

To all these I submit a few facts that will help to see what our tariff legislation threatens. The biggest glass company in the State—Pennsylvania—owns very large works in both this country and Belgium. The company pays workmen in the United States three times the wages it pays in Belgium to the same number of workers for the same grade of work. But it pays three times as large dividends in Belgium as it pays in this country on the same amount of investment.

Now, cut out the protective duties on glass and which body of workers would be employed to make the glass for America? The work will go to the foreigner and idleness and soup houses will be our portion. In Pittsburgh there are 16 plate-glass companies, 21 bottle works, 14 window-glass works, and 10 lamp-chimney, electric-globe works, etc.

The glass company referred to made 80,000 tons of glass in this country in 1911, the raw material for which was soda ash, coal, gas, arsenic, lead, colors, lumber, nails, etc. When the order for 80,000 tons of glass came in an order for 40,000 tons of sand went to four States and an order of 40,000 tons of soda ash went to three States. When the order for soda ash reached their works an order went to limestone quarries for 20,000 tons of lime rock and to salt works for 20,000 tons for salt and to coal mines for 10,000 tons of coal; then to the works to make the soda ash to be delivered to the glass works, thus employing an army of workmen at American wages to work in stone quarry, salt plants, coal mines, soda-ash works, on railroads; then in the glass works, to say nothing of the lumbermen, saw-mills, clerks, etc.

Now, throw out of employment the glassworkers of Pittsburgh alone and down along the line of all above plants goes the crash. Upon each busy glassworker depends a half dozen workmen for wages.

Suppose these idle men knock at the door and ask for work. Work or starvation must come. Then the man who knows it all appears, and his answer is: "Men, what you want is the initiative, referendum, recall, etc." Don't think of starving mothers, wives, and children when you can think of such great questions as I am dreaming about. What say you wage earners? Shall we be duped by dreamers while our wages are paid to tollers beyond the sea? There are two ways to prevent this—one is to cut our wages; the other is to restore protective duties by returning to power the Republican Party. After we succeed we may listen to those who are dreaming.

[Applause on the Republican side.]

Mr. MANN. Sure.

Mr. FORDNEY. It can not truthfully be denied that a majority of the people of the United States are in favor of protection to American industries and labor, for, although the party in power candidly believe in free trade or a tariff for revenue only, they are not in power by having received a majority of the votes cast at the polls in November, 1912.

No one will deny that the votes cast for Mr. Taft and Mr. Roosevelt in that election were cast by people who believed in the policy of protection, and the votes cast for the Democratic and Socialistic candidates combined fall far short of a majority of the votes polled. Therefore it can not be claimed by the friends of the Underwood tariff bill that this law has been placed upon our statutes at the request of a majority of our voters.

The Socialists do not even believe in levying a tariff for revenue purposes. They want free trade on imports, and they also want a division of all property held by our people. They can not be considered as being in sympathy with either the Democratic or Republican policies, for they are not. That there has been a sentiment among many of our people for a change of some kind will not be denied. For the past several years a great many agitators have been at work stirring up discontent. Some of these men I credit with being sincere, but a great number were at work solely for the purpose of gaining personal political favor. It is easy to criticize, but difficult to suggest practical changes to better conditions. When a man is

in straitened financial circumstances it is easy to influence him by argument that a change of some kind will be beneficial to him, for he feels he has nothing to lose and everything to gain. This agitation undoubtedly aided in putting the Democratic Party in control at the last general election.

During the past 10 years or more the cost of living has materially increased, but up to 1913 employment has been plentiful and good wages have been paid—higher wages than ever before—and during no period of our history have the laboring men been better clothed, better fed, or enjoyed more of the comforts of life. We passed through a period of low prices under a free-trade law from 1894 to 1897, but employment was scarce, and many had little or no purchasing power, and there was much suffering and hardship. That period of low prices and hard times has been forgotten by many. In fact, it is shown by statistics that about 51 per cent of the people who voted at the general election in 1896 are now dead, and that hundreds of thousands of the voters of to-day were but 5 years of age in 1896 and know nothing of the conditions that existed under the Wilson tariff-for-revenue-only measure, or free-trade law, from 1894 to 1897, which caused such widespread suffering and shrinkage in values. The necessities of life reached bottom prices known to this country, yet, as before stated, the country never knew a time of greater suffering and distress among our poor people, a condition so absolutely reversed from 1897 down to 1913.

In the campaign of 1896 our Democratic friends claimed we did not have enough money in the country with which to do the business of the country, and that if we had more and easy money prices of all commodities would advance, which was so much desired at that time. The contention of the Republican Party was that it was not so much more money that was required as it was a restoration of confidence and the exclusion from our markets of the products of cheap labor from abroad, and a preservation of our home markets for our manufactured and agricultural products.

At that time we had \$22 per capita in circulation, but now our Democratic friends claim, although we have \$35 per capita in circulation in the United States, that we need more money and easier money to bring down prices, and to substantiate this theory they point with pride to the currency law recently passed. They believe that measure will cure all our financial ills. We all agree that more easy money would add to our prosperity, provided our people were furnished with employment, but this can only be done by preserving American markets for the articles we can produce in this country. It is impossible to bring prosperity by inviting greater importations of foreign competitive products at low prices, thus closing the doors of our factories and displacing American labor for the employment of cheap labor of foreign countries.

Seventeen years have elapsed since our last experiment with free trade and low tariff, and many have been led to believe their incomes have not increased in proportion to the cost of living and that low prices are desirable. Generally speaking, everyone has something to sell—it is either his labor or a product of labor. It is equally true that everyone has to buy. If all could get better prices for what they have to sell and have lower prices on what they have to buy, it would be an ideal change, but the absurdity of such a proposition is self-evident, for we must buy and sell to one another. However, many, ignorant of conditions under former periods of low prices, or closing their eyes to those conditions, have been led to believe that prices can be lowered without a corresponding decrease in wages and employment. In 1896 we claimed we needed a party in power during those panicky days that would bring confidence to the people and bring out of hiding the money we had and put it in circulation, and we made this argument then and succeeded, and had the greatest measure of prosperity from 1897 to 1913 that any people in any country under the sun have ever enjoyed. [Applause on the Republican side.]

My Democratic friends, one thing in which I believe I am right, and you will agree with me, is that you who live south of the Mason and Dixon line are natural-born free traders. It comes as nature to you. When the 13 Colonies formed into a Union and adopted a Constitution the people of this country soon became divided in their views on the power of Congress, under the Constitution, to impose on foreign imports a tax sufficiently high for protective purposes. The people were divided into two classes, called "loose constructionists" and "strict constructionists." The strict constructionists were free traders, who contended the Constitution gave Congress no right to impose a tax on imports greater than would yield a sufficient sum of money to pay the running expenses of the Government. The loose constructionists were protectionists. George Washington and Alexander Hamilton and others who helped frame the Constitution took the view of the loose constructionists,

that the Constitution of the United States did give Congress the right to impose a duty on foreign imports not only for the raising of money to pay the running expenses of this Government, but to protect the industries of this country against cheap foreign labor.

John Quincy Adams, of Massachusetts, Secretary of State in 1824, was chosen President by the House of Representatives in February, 1825. Each State having one vote, 13 States voted for Adams; 7 for Jackson, of Tennessee; and 4 for Crawford, of Georgia.

The Adams and Clay factions were protectionists, or so-called loose constructionists, and when put into power passed a tariff act in 1828. The southern Members of Congress were almost a unit for free trade or tariff for revenue only.

South Carolina, on November 19, 1832, at a State convention held at Columbus, declared the tariff acts of 1828 and 1832 to be "null and void" and no law, and not binding upon that State, and declared she would not permit the collection of duties on imports into South Carolina and threatened secession, and only yielded after President Jackson issued a proclamation, December 16, 1832, warning that State against such action, and followed up his proclamation by sending a naval force to Charleston Harbor and provided guards for the customs officials, thus ending that secession controversy and tariff dispute.

In the Southern States slavery was lawful, and the people there were chiefly engaged in raising cotton. With slave labor, the cheapest labor in the world, they could compete in the production of cotton with any country in the world. They wanted cheap manufactured products and cheap foodstuff for their slaves, and were frank and open in opposition to tariff protection for the factories of the North, claiming the people of the North should turn their attention to agricultural pursuits, which would enable the South to obtain a ready and abundant supply of foodstuff for the slave labor at the lowest possible cost. They also contended that by free trade manufactured articles could be obtained from abroad at a lower price than at home under a protective tariff. Knowing Europe must be looked to as a market for the major portion of their cotton, they realized the possibility, under free trade, of exchanging cotton for cheap European manufactured products.

In the campaign of 1844 James K. Polk, a candidate for the Presidency, was accused of being in favor of a tariff for revenue only—a polite term for free trade. To offset this accusation, Polk and his friends issued a letter and published it broadcast over the country. In part, it was as follows:

James K. Polk has ever pursued a straightforward and consistent course upon the tariff, as well as upon other questions of national policy, and he is now most decidedly and unequivocally committed in favor of a tariff which shall afford fair and just protection to agriculture, manufacturing—

And so forth.

This letter satisfied the so-called loose constructionists, or more properly called protectionists, and Polk was elected, and George M. Dallas, of Pennsylvania, an avowed protectionist, was elected Vice President.

Congress met December 1, 1845. The Democrats, or strict constructionists, were in the majority in both branches of Congress. The President's message condemned all antislavery agitation, recommended a subtreasury, and a tariff for revenue only. At that session of Congress, on July 30, the tariff act of 1846 was passed by a party vote. It followed the strict constructionists' theories of establishing rates of duties sufficient only to provide revenue for the Government, without regard for protection. On one tie vote in the Senate, Dallas cast the deciding ballot and voted for free trade. President Polk signed the bill—the so-called Walker Tariff Act—and that act resulted in the loss of our balance of trade. With the exception of a single year during the life of the bill our imports exceeded our exports, as the following table explains. The balance of trade against the United States averaged \$34,000,000 for 10 years.

Balance of trade of the United States from 1847 to 1857.

Year.	Excess of imports over exports.	Excess of exports over imports.
1847.....		\$34,317,249
1848.....	\$10,448,129	
1849.....	855,027	
1850.....	29,153,800	
1851.....	21,856,170	
1852.....	40,456,167	
1853.....	60,287,983	
1854.....	60,760,030	
1855.....	38,899,205	
1856.....	29,212,887	
1857.....	54,004,582	

Our Democratic friends have ever since claimed that we had a period of prosperity due to that bill. Gentlemen, they are mistaken. We did have prosperity, but it was not due to the tariff law at that time, because that law brought a balance of trade against us every year that it was upon our statute books, except the first year after its adoption. Gold was discovered in California, and we had war with Mexico, and there was war in Europe, all of which created a great demand for the products of this country. We produced somewhere from fifty to one hundred million dollars a year of gold, and it kept the Treasury of the United States from running dry in paying our foreign debts. The strict constructionists came back into power in 1856 and adopted a measure giving much more free trade than was provided in the Walker tariff law, and the panic of 1857 ensued.

It is interesting to observe how history is repeating itself. In the campaign of 1912 President Wilson in public utterances assured the people of this country, if elected President of the United States, he would injure no legitimate industry. I heard many protectionists during that campaign say they would vote for Wilson because of his publicly announced friendliness to protection. They were misguided, for, like Mr. Polk in 1844 and 1845, President Wilson, after committing himself to protection, has signed a bill for free trade, or tariff for revenue only. President Wilson, after nearly three score and ten years, has followed in the footsteps of Polk.

If I am correctly informed, President Wilson, while the convention at Baltimore was in session, assured the people of Louisiana he would not in the least injure the cane-sugar industry of the South; but we see to-day a tariff law on our statute books, signed by President Wilson, which will eventually place sugar on the free list. Sugar mill after sugar mill in the State of Louisiana is going into the hands of receivers.

I again say, history is repeating itself after to these many years. Wilson has followed the footsteps of James K. Polk, who, over his own signature, in the letter above referred to, befogged the minds of the people of the United States, from whom he was then seeking support.

President Polk, in his message to Congress of December 2, 1845, said, in regard to the tariff:

The attention of Congress is invited to the importance of making suitable modifications and reductions of the rates of duty imposed by our present tariff law. The object of imposing duties on imports should be to raise revenue to pay the necessary expenses of the Government. Congress may undoubtedly, in the exercise of a sound discretion, discriminate in arranging the rates of duty on different articles; but the discrimination should be within the revenue standard and be made with the view to raising money for the support of the Government. * * * Taxation, direct or indirect, is a burden, and it should be imposed as to operate as equally as may be on all classes in the proportion of their ability to bear it. To make the taxing power an actual benefit to one class necessarily increases the burdens of the others beyond their proportion and would be manifestly unjust.

The terms "protection to domestic industry" are of popular import, but they should apply under a just system to all the various branches of industry in our country. The farmer or the planter who tills his fields is engaged in domestic industry and is as much entitled to have his labor protected as the manufacturer, the man of commerce, the navigator, or the mechanic. * * * The joint labor of all these classes constitutes the aggregate of the domestic industries of the Nation, and they are equally entitled to the Nation's protection. No one of them can justly claim to be the exclusive recipient of the protection, which can only be afforded by increasing burdens on the domestic industries of the others.

President Wilson, in his message which he read in the House of Representatives Tuesday, April 8, 1913, said:

We have seen tariff legislation wander very far afield in our day. * * * The object of tariff duties henceforth laid must be effective competition with whetting of American wits by contest with the wits of the rest of the world. * * * We must build up trade, we need the outlet and the enlarged field of energy more than we ever did before. We must build up industries as well as adopt freedom in the place of artificial stimulation only so far as it will build up, not pull down.

And, gentlemen, you from south of the Mason-Dixon line believe in a tariff for revenue only, which is nothing other than free trade, because it does not make any difference what amount of duties you put upon an imported article, if it is below the point of protection it cripples the industries of this country and is equivalent to free trade. If you are going to drown me, it makes no difference whether you put me 10 feet under water or 10 inches, just so long as there is enough water to cover my head you are going to accomplish your object. And it makes no difference how low you put the duty, whether it is absolutely free or below a protective point, it is free trade and means disaster to the institutions of this country.

Mr. FESS. Will the gentleman permit an interruption?

Mr. FORDNEY. I will be glad to do so.

Mr. FESS. I think for the sake of the record, with reference to 1844, when James K. Polk was elected upon that promise, you ought also to state that he defeated the greatest protectionist the country ever knew—Henry Clay.

Mr. FORDNEY. I thank the gentleman for his suggestion. Gentlemen, my time will be too limited to give you the full extent of my argument along this line, but I want to impress upon you the fact that a Democrat votes for free trade because that theory is instilled in him. He was born a free trader, brought up on free-trade doctrine, and will not be shown the error of his way.

During the campaign preceding the last general election the Democratic Party, among other things, pledged itself to furnish ample employment and reduce the cost of living. They are now in power; they have placed a tariff law on our statute books, and the results of their efforts are beginning to be shown. I am most firmly convinced reduced wages must and will accompany lower prices, and from reports rapidly coming in the number of unemployed is increasing at an alarming rate. It appears if low prices are in store for us low wages and lack of employment will reach us first, and that lack of purchasing power will to a large measure be responsible for depressed prices, if depressed prices come.

The argument of the man who believes in free trade or tariff for revenue only is made solely from the viewpoint of a consumer. He loses sight of the fact the consumer's income may be affected. He forgets there are two sides to the argument. Let us see whether his position is logical or whether there is substantial ground for argument.

For example, he believes if a suit of clothes can be produced in England or any other foreign country and furnished to the consumers in this country at a lower cost than similar clothes can be manufactured in this country, that we should encourage the purchase of such clothes from abroad and let the consumer have the benefit. He uses the same argument in connection with other articles of consumption in this country which can be produced abroad cheaper than at home. In answer to that theory permit me to say I have on my back a suit of clothes of medium quality, and in the converting of the cloth and trimmings into the finished product labor received \$17.50. If this suit of clothes had been made in England, by labor receiving but 40 per cent of the wages paid for the same class of labor in the tailor shops of this country, it would deprive our labor of just that much employment and correspondingly reduce their purchasing power. The same applies to all labor in this country engaged in producing anything that can be produced more cheaply abroad. That labor must turn its attention to other pursuits, which could not be found to take care of all, and that labor would join the great army of unemployed and to a large measure would be compelled to live—partly, at least—upon charity.

By purchasing abroad we would open up new shops and factories in Europe and increase employment in foreign countries, and, as was the case under the Wilson bill from 1894 to 1897, we would quench the fires under our furnaces and close the doors of our factories and place signs thereon, "No labor wanted." Signs of that character were conspicuous in every town and city in the land during those days, but were removed from 1897 to 1913. They are again being displayed, and in increased numbers, in every city, and many of our laboring men are seeking employment.

As the beet-sugar industry and the cane-sugar industry in this country expanded the refiners of foreign imported sugar, the Sugar Trust, started a campaign for a removal of import duties on sugar. The matter has been constantly before Congress for several years past. With the aid of the Democratic Party, the Sugar Trust has at last won its fight. By the passage of the Underwood tariff law the Democratic Party has condemned the domestic sugar industry to a slow but certain death. This law made some reductions in the duty on sugar to take effect March 1 and provided, further, that after May 1, 1916, all sugar should be admitted free of duty. It is so evident the sugar industry can not survive free trade that certain insurance companies have canceled their policies of insurance on sugar factories, so I am informed, in the State of Louisiana. Formerly it was comparatively easy to borrow money on the property of a sugar company. To-day such a loan is considered unsafe, and we now see cane-sugar factories in the States of Louisiana and Texas, one after another, passing into the hands of receivers or closing their doors. Other factories have reduced the price to be paid to the farmers for beets. The result is to enable the Sugar Trust of the country to monopolize more of the trade.

Is the Democratic Party ignorant of the fact the sugar industry will be injured? As evidence of the fact that they realize injury will be done I wish to call attention to the fact that in the Agricultural appropriation bill there is a large appropriation of money—\$50,000—to be used in educating the peo-

ple of the cane fields in the South in other pursuits. Such an appropriation is made at the expense of the people and in the interest of the Sugar Trust and no others.

It is and always has been my contention that the prosperity of this Nation depends primarily upon a protected home industry by adequate tariff rates on importations of foreign competitive products. So much has been said concerning the tariff that it is considered by some a threadbare subject. It is my experience, though, that those who call it a threadbare subject are mostly free traders. It is also my experience that calling the tariff threadbare is the only way many free traders can reply to a statement of tariff facts. The tariff has always been the great Democratic stumbling block.

It is my desire to call attention to a few startling facts from which an open-minded man can draw but one conclusion in regard to the effect of low-tariff legislation. Since the adoption of the Underwood tariff law I have diligently studied the advance reports from the Department of Commerce regarding our foreign trade. I have watched the daily Treasury statements and the reports from our foreign consular officers, and I have endeavored to get expressions from American manufacturers as to business conditions, and I will attempt to present the facts and figures to you in concise and concrete form as I proceed.

Gentlemen, the most effective way to destroy the comforts of life and the enjoyments of a good home and a high standard of living for the laboring classes of this country is to vote to bring into this country the products of cheap labor when employed across the sea.

Something was said here not long ago about child labor. I want to show you something in that regard, and I ask you to bear with me. I will be as brief as possible.

The following appears from Consul Edwin S. Cunningham, of Bombay, India, in the Daily Consular and Trade Report for June 24, 1912:

The employment of women and children in factories is of considerable importance; 43,401 women and 10,816 children were so engaged in 1910. An analysis of the statistics shows that during the last five years the number of women employed in the city of Bombay has gradually decreased, being 25,093 in 1906 and 22,288 in 1910, while in the country districts there has been a gradual increase—19,617 in 1906 against 21,113 in 1910. On the other hand, the employment of children in the city of Bombay has been growing, from 2,741 in 1906 to 3,942 in 1910. In the country, in the former year, 5,918 children were employed and in the latter 6,874.

The following is taken from the Daily Consular and Trade Report of April 16, 1913, from the report of Consul General T. St. John Gaffney, of Dresden, Germany:

In former days the German wage-earning woman was, as a rule, only to be found in agricultural districts, but now they are forsaking country life in increasing numbers and are going to the cities, where great industries are springing up and demanding their labor. The number of women wage earners in Germany is now larger than in any European country, and from census reports it appears that it is steadily increasing.

In 1882 the women employed in occupations other than domestic service numbered over 4,000,000; 25 years later the figures stood at 8,000,000; and while the employment of men has increased 20 per cent during the same period, at present a full third of the economic labor of the Empire is being carried on by women. Statistics recently published show that there are 9,500,000 wage-earning women in Germany, which means that nearly every second adult woman is earning her own living and directly contributing to the wealth of the country. There is no doubt that to their work is largely due the wonderful industrial advance made by Germany, which is one of the most remarkable features in recent European history.

The fact that women compete with men in many of the great industries is now accepted as a matter of course. This large army of women wage earners is gradually awakening to a realization of its importance, and it is claiming rights and privileges which have hitherto been asked for only by men. In 1906 there were no less than 37 women's trades unions, comprising nearly 119,000 members.

The following appears in the Daily Consular and Trade Report for January 13, 1914, from Consul George Nicholas Ifft, of Nuremberg, Germany:

For the purpose of fixing the rates for the imperial sick, accident, old-age, and disability insurance systems, the district insurance officers all over Germany are required to establish by careful investigation at stated intervals the average wages paid for unskilled labor in the cities and rural communities of their respective districts. The investigation recently completed for the city of Nuremberg, one of the important manufacturing centers of Europe, with a population of 355,000, shows the daily wages paid to male and female laborers in specified age groups as follows: Over 21 years of age—male, 88 cents; female, 50 cents; between 16 and 21 years of age—male, 71½ cents; female, 45 cents; under 16 years of age—male, 43 cents; female, 31 cents. These rates mark an increase of about 9 per cent over 1910, when the average wage of an adult unskilled laborer in Nuremberg was 81 cents per day.

Mr. HAMILTON of Michigan. In what country are those wages paid?

Mr. FORDNEY. Germany.

The following is taken from the report of Consul General A. M. Thackara, of Berlin, in the Daily Trade and Consular Report for July 15, 1913:

According to the statistics of 1907 (the latest official figures), the proportion of men and women employed in the metal-working industries in Germany is as follows:

	Men.	Women.
Helpers and workpeople:		
16 years and over.....	580,097	60,558
14 to 16 years.....	79,970	9,118
Under 14 years.....	2,895	470
Apprentices:		
16 years and over.....	56,888	528
14 to 16 years.....	60,519	1,663
Under 14 years.....	2,003	240

Remember, gentlemen, that under free trade the products of that labor come into competition with the products of labor in this country.

Here is another report showing the employment of women in the woolen and cotton mills of Germany. In the cotton mills, where there is a large amount of child labor employed, the wages to the average cotton-mill employee is 64 cents a day. In the woolen mills the wages run from 40 cents to 64 cents a day.

My Democratic friends, you have put wool on the free list. You have put a 35 per cent ad valorem duty on manufactured woolen goods. That duty is below the protective point, and before I conclude I will show you the amount of importations of woolen goods.

Mr. POST. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. FORDNEY. Yes, sir.

Mr. POST. The gentleman just made the statement that we had placed raw wool on the free list. I will ask is it not a fact that raw wool in Michigan and Ohio brings a higher price to-day than it brought one year ago or two years ago?

Mr. FORDNEY. I do not know, my friend, whether the price is higher or not. I think it is about the same.

I do not know whether this claim is correct or not. It is claimed, however, there is a shortage of the world's supply of wool, but that claim is made by the importers of wool. But I am going to ask the gentleman a question. On the 1st day of December, when this law took effect, putting wool on the free list, wools of the first class paid 11 cents a pound duty and wools of the second class paid 12 cents a pound duty and wools of the third class paid from 3 to 7 cents a pound, owing to the value of the wool. The market value of wools in this country did not change one fraction of a penny, but the foreigner took that money formerly paid as duty and put it in his pocket, and the Treasury of the United States is being deprived of from twelve to fourteen million dollars a year duty which was collected on wool last year. The foreigner is getting it, and the consumer here is not. Can the gentleman tell me how that happens? [Applause on the Republican side.]

Mr. POST. Can the gentleman explain to me how the foreigner gets the duty when there is no duty collected?

Mr. FORDNEY. Before the Underwood tariff law took effect, before wool went on the free list—on the 1st day of December last—I say the duty on wool of the first class was 11 cents a pound, and at that time foreign wools were selling in Philadelphia at 23 cents a pound. Before the duty was removed, when the foreigner at that time brought his wool to this country and sold it for 23 cents a pound, he paid 11 cents out of that 23 cents to Uncle Sam for the right to dispose of his wools in our markets; but since the 1st day of December, 1913, he takes that money home with him—the entire 23 cents, my friends. Can the gentleman tell me why?

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. FORDNEY. Yes.

Mr. FESS. If my colleague's position is correct, that the prices have gone up, what becomes of the argument they adduced that the cost of living would come down? [Applause on the Republican side.]

Mr. FORDNEY. Yes; and I want to call the gentleman's attention to another argument.

Mr. POST. Mr. Chairman, will the gentleman yield right there?

Mr. FORDNEY. In just one moment. Let me answer a little further. I want to call the attention of the gentleman from Ohio [Mr. Post] to this fact, and no man has given a satisfactory explanation of the cause: When the Payne tariff bill was enacted into law hides were put on the free list. Up to

that time hides had paid a duty of 15 per cent ad valorem. Hides were selling at 10½ cents a pound on January 1, 1909, and 10 months later, after being placed upon the free list, hides sold for 17½ cents a pound. Can the gentleman tell me what caused this rise in price on hides?

Mr. POST. I happen to be a member of the Committee on the Merchant Marine and Fisheries, which investigated the Shipping Trust, and it was proven conclusively in the hearings had before that committee that the Shipping Trust increased the rates of freight equal to the tariff.

Mr. FORDNEY. My friend, I believe that is a mistake. I have a statement of the rates of freight on wool from every principal city in this country west of the Mississippi River which I will give; also, the freight on wool from Australia and New Zealand, and from South America and from Europe, and none of the freight rates exceed 2 cents per pound from the point of production to Boston, which market is the great wool market in the United States.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. With pleasure.

Mr. MANN. I understood the gentleman from Ohio [Mr. Post] to state that the Shipping Trust added that much to the freight when we reduced the tariff on certain things, and I assume he takes the position that they took the tariff off for the benefit of the Shipping Trust. [Laughter on the Republican side.]

Mr. POST. My remarks applied to hides.

Mr. MANN. Very well. According to the gentleman's position, we took the tariff off hides for the benefit of the Shipping Trust. [Laughter on the Republican side.]

Mr. FORDNEY. I will tell my friend from Ohio [Mr. Post] what was the cause, in my opinion. When the duty was taken off hides, it was notice to the world that the United States was short of a hide supply for our tanneries, and the people who had hides to export to the United States took advantage of that notice and put up their price, and were benefited thereby.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HUMPHREY of Washington. I wanted to suggest that if the gentleman from Ohio is correct, he not only gave the tariff to the Shipping Trust, but his party also gave that trust a subsidy of 5 per cent.

Mr. FORDNEY. Yes; and their Attorney General has now declared that law is unconstitutional. I thought it unconstitutional when they passed it.

Mr. HUMPHREY of Washington. Upon that point, if the gentleman will permit me, ever since this administration has been in power there have been at least three suits that I know of, begun under a former administration, against shipping combines and shipping trusts, and this administration has made no progress, so far as I am able to ascertain, in the prosecution of those cases, and taken no steps toward doing so. What is the reason?

Mr. FORDNEY. I did not know of those lawsuits.

Mr. HUMPHREY of Washington. That is true.

Mr. J. M. C. SMITH. I should like to inquire whether or not the imports into this country are brought over in American ships or in foreign ships, and whether it is an American subsidy or a foreign subsidy.

Mr. POST. We have no American ships.

Mr. FORDNEY. Oh, yes; we have, although they are very few. But before I finish I am going to show you, Mr. Post, what your party said in your platform about aiding American ships, and you will run with shame for the cloakroom.

Mr. POST. I assure you I will not scud to the cellar.

Mr. FORDNEY. You will admit that your President can shift his position mighty quickly, if you do not run.

I have here another consular report, which states the average wages paid in Germany in the cotton and woolen mills is \$132.09 per year to the average laborer—adult and child labor combined—and \$122.33 per year in France. Yet you, my Democratic friends, have voted to remove the tariff and bring into this country the products of that French and German labor in competition with the products of American labor, that receives from \$1.50 to \$3 or \$4 a day.

Mr. POST rose.

Mr. FORDNEY. Pardon me just a moment.

Now, let us see, my friends, what France thinks about a protective tariff. France imports our cotton free of duty. We produce 60 per cent of all the cotton raised in the world. There is no duty on raw cotton going into France, I say; but if you or I were to take into France the finished product of one bale of cotton made into knit goods we would have to take along the

value of 11 bales of cotton at the present price—15 cents per pound—to pay the duty on the manufactured product of 1 bale of cotton. You do not believe in placing a protective duty upon the finished product of cotton coming back into this country from abroad. Cotton raised in this country and exported to Belgium, where labor receives 15 to 30 cents a day, is coming back here in millions of dollars' worth of manufactured cotton goods, brought into this country from Belgium, Germany, France, and England, and sold at a price that will compete with us and even undersell us, because your Democratic tariff upon imported cotton is below the protective point. I call your attention to some imports, as follows:

NOTEWORTHY INCREASES IN LEEDS EXPORTS.

(Consul Homer M. Byington, Leeds, England.)

[From the Daily Consular and Trade Reports, Apr. 29, 1914.]

The quarter ended March 31 clearly demonstrated the effects of the recent changes in the United States tariff upon the export trade of Leeds. The increase in shipments is noteworthy. The total exports to the United States for the quarter were \$613,388, as compared with \$297,259 for the corresponding quarter of 1913. Leather shipments increased from \$47,507 to \$211,138, salted hides from \$176 to \$13,898, rugs from \$1,748 to \$44,547, shoddy from nil to \$18,681, woollens and worsteds from \$4,672 to \$33,763, traveling rugs from nil to \$20,877. During the quarter 589 invoices were certified, as compared with 243 in 1913 and a total of 1,047 for the whole of the year 1913.

Imports of merchandise ready for consumption in February, 1914, showing increase compared with imports in same month in 1913.

Products.	1914 values.	1913 values.	increase.	Per cent.
Aluminum, manufactures of.....	\$136,873	\$78,373	\$58,500	74.6
Watches and parts of.....	250,018	182,237	67,781	37.0
Cotton cloths.....	1,454,439	727,121	727,318	100.0
Stockings.....	372,741	265,169	107,572	40.5
Other knit goods.....	340,637	43,825	296,812	677.0
Linen yarns.....	88,806	62,287	26,519	42.7
Fruit and nuts.....	3,523,651	2,523,651	1,000,000	29.0
Glassware.....	561,420	463,947	97,473	21.0
Cutlery.....	212,356	157,658	54,698	34.6
Tin plate.....	209,938	27,979	181,959	650.0
Leather and tanned skins.....	1,357,428	755,549	601,879	79.6
Gloves.....	850,933	782,973	67,960	8.6
Paper and manufactures of.....	1,998,835	1,581,723	417,112	26.0
Manufactures of silk.....	3,126,092	2,257,264	868,828	38.0
Vegetables.....	1,222,778	848,255	374,523	44.0
Wool, class 1.....	4,398,235	2,192,326	2,205,909	100.0
Wool, class 2.....	690,195	248,278	441,917	178.0
Wool, class 3.....	1,687,964	1,211,219	476,745	39.0
Dress goods.....	782,121	262,938	519,183	197.0
Woolen cloths.....	1,504,197	464,742	1,039,455	236.0
Wearing apparel.....	142,557	113,947	28,608	25.0
All other wool manufactures.....	484,450	85,501	398,949	466.0
Total.....	25,198,594	15,336,962	9,861,632	64.2

The above figures are from official sources, and show increases of imports that leave no doubt as to what the Underwood tariff law is doing to industries employing large numbers of American working men and women. This money paid for increased imports would have furnished employment here for 197,232 people, at \$50 per month, for one month.

Imports of merchandise ready for consumption in March, 1914, showing increase compared with imports in the same month in 1913.

Product.	1914 values.	1913 values.	Increase.	Percentage of increase.
Aluminum, manufactures of.....	\$168,000	\$60,767	\$107,233	176.4
Watches and parts of.....	317,329	205,280	112,049	54.5
Cotton cloths.....	1,402,071	721,902	680,169	94.2
Stockings.....	417,473	241,455	176,018	72.8
Other knit goods.....	366,251	44,675	321,576	719.8
Linen yarns.....	95,248	55,958	39,290	70.1
Fruit and nuts.....	4,012,244	3,088,108	924,136	29.9
Glassware.....	768,349	498,674	269,675	54.0
Cutlery.....	272,460	146,979	125,481	85.3
Tin plate.....	185,130	23,298	161,832	694.6
Leather and tanned skins.....	1,556,342	635,660	920,673	144.8
Gloves.....	990,977	755,242	235,735	31.2
Paper and manufactures of.....	2,529,933	1,783,048	746,885	41.8
Manufactures of silk.....	3,695,975	2,694,608	1,001,367	37.1
Vegetables.....	1,423,939	960,857	463,082	48.1
Wool, class 1.....	5,253,229	2,681,544	2,571,685	95.9
Wool, class 2.....	616,845	383,638	233,207	60.7
Wool, class 3.....	2,066,013	1,197,512	868,501	72.6
Woolen cloths.....	1,396,910	328,974	1,067,936	324.0
Dress goods.....	740,928	225,973	514,955	227.0
Wearing apparel.....	170,480	165,087	5,393	3.2
All other manufactures of wool.....	772,544	95,617	676,927	707.0
Total.....	29,218,670	16,994,865	12,223,805	71.9

The above figures are from official sources, showing a heavy increase in imports over March, 1913, and past months under the Underwood tariff law, proving even more conclusively than the figures of January and February what this law is doing to American industries employing large numbers of workmen. This money sent abroad would have given employment to 245,000 people one month at \$50 per month.

Imports of wool and manufactures of wool in March, 1914, compared with imports in March, 1913.

	1914		
	Pounds.	Value.	Unit.
Wool:			
Class 1.....	21,872,566	\$5,253,229	\$0.241
Class 2.....	2,506,018	616,845	.244
Class 3.....	12,063,190	2,066,013	.171
Total.....	36,441,774	7,936,087	
Cloths.....	1,314,242	1,396,910	1.055
Dress goods.....	763,761	740,928	.97
Carpets.....	185,565	379,950	4.44
Wearing apparel.....		170,480	
All other manufactures of wool.....		772,544	
Wool wastes free.....	1,315,731	194,303	
Hair of the Angora goat, alpaca, etc.....	154,838	65,950	
Manufactures of the hair of the Angora goat, etc.....		229,681	
Total.....		11,886,833	

	1913			Increase value.	Per cent.
	Pounds.	Value.	Unit.		
Wool:					
Class 1.....	11,701,450	\$2,681,544	\$0.233	\$2,571,685	95.9
Class 2.....	1,487,584	383,638	.257	233,207	60.7
Class 3.....	9,074,796	1,197,512	.131	868,501	72.6
Total.....	22,063,830	4,262,694		3,673,393	86.1
Cloths.....	283,691	328,974	1.159	1,067,936	324
Dress goods.....	1,042,812	225,973	.216	514,955	227
Carpets.....	178,572	311,337	3.97	68,113	21.8
Wearing apparel.....		165,087		5,393	3.2
All other manufactures of wool.....		95,617		676,927	707
Wool wastes free.....				194,303	100
Hair of the Angora goat, alpaca, etc.....				65,950	100
Manufactures of the hair of the Angora goat, etc.....				229,681	100
Total.....		5,390,182		6,496,651	120.5

¹ Square yards.

March shows the largest increase in imports of wool and manufactures of wool under the Underwood law as compared with the same month in the previous year under the Payne law.

If this money paid for wool and woollens had been kept at home, it would have given employment to 130,000 people at \$50 per month for one month.

President Wilson has stated publicly that he would injure no legitimate industry. I take it he meant that through his political action he would injure no legitimate industry; that he would sanction no law harmful to our industries. I wish to ask: Does anyone know of any new factories being built in the United States due to encouragement given in the Underwood tariff law? President Wilson sanctioned that law. Do you know of any additional employment given to our laborers? Do you know of any additional happiness or prosperity coming to our people? Do you know of any people enjoying greater prosperity through the effects of this tariff act? Yes, we know of such added prosperity, but where is it? It is in Europe, not here; and the statistics I have just given are proof of this assertion. Both English and Irish papers, with glowing headlines, teem with encouraging editorials to their people: "Cheer up, laborers and business men; we see a rift in the dark clouds that have hung over the western horizon for so these many years. The Democratic Party in the Congress of the United States has removed the barrier; they have torn down the Republican protective-tariff wall and have bid us a welcome. We can now find a market in the United States for much of our products, which market for the past 18 years has been practically closed to us."

Mr. SAMUEL W. SMITH. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. SAMUEL W. SMITH. In the gentleman's judgment, how many men are there out of employment in this country by reason of the Underwood tariff law?

Mr. FORDNEY. I am going to reach that in just a minute, and I will detail it.

Mr. POST. Does the gentleman know that throughout the entire corn belt the farmers can not get labor at all, even at the very highest wages?

Mr. FORDNEY. If you will just be patient, I will show you where you can find plenty of unemployed people.

Mr. POST. If there is an army of unemployed, why is it that the corn-belt farmers can not get help?

Mr. HAMILTON of Michigan. They are raising corn in Argentina now for the United States.

Mr. NORTON. Would the fact that the price of corn has been so greatly reduced within the past 12 months probably have something to do with the fact that the farmers are not able to employ help?

Mr. FORDNEY. Yes; there is much in that statement.

Mr. POST. Does not the gentleman know that the farmers—

Mr. FORDNEY. I will yield in a moment.

Mr. HUMPHREY of Washington. I want to suggest to the gentleman from Ohio [Mr. Post] that every day for the last month I have received letters from people asking me to find them jobs, and saying they were thrown out of employment by the Democratic administration. I will refer them to the gentleman from Ohio [Mr. Post].

Mr. FORDNEY. Fifteen minutes before I came on the floor of the House I was importuned by a poor person who was out of money and out of everything to eat, who said he would have to camp in a dry-goods box to-night unless given aid.

Mr. BOOHER. I should like to ask my friend from Washington a question.

Mr. FORDNEY. Ask it of me, not of the gentleman from Washington.

Mr. BOOHER. I would like to have you ask the gentleman from Washington if the people he refers to were Republicans whom the Democrats have turned out of a job?

Mr. FORDNEY. It does not make any difference whether they are Republicans or Democrats; they are out of a job, and you put them out.

Mr. HUMPHREY of Washington. I got a letter from one of them who said he was a Democrat in the last election, but that he would never vote the Democratic ticket again.

Mr. BOOHER. Will the gentleman vouch for his previous Democracy?

Mr. RAGSDALE. Was not that letter written because he thought that was the best play he could make in writing to the gentleman?

Mr. FORDNEY. I can not tell you what is in Democrats' minds. Here I have another consular report from Germany. Average weekly wages of arms and ammunition workers: Polishers, \$11.65; turners, \$11.65; drillers, \$8.03; ammunition drillers, \$10.21; helpers, \$6.67; laborers, \$6.60; and the weekly hours of work are from 52 to 56 hours. Sixty thousand women and children are employed in these ammunition factories in Germany, many of them under 13 years of age, at very small wages.

Mr. Redfield said in a speech which he made at Wheeling, W. Va., on February 23, 1914:

But there is no ground here now for worry. The surplus of freight cars has ceased to grow. It commenced about the middle of January to decline, and has decreased by about 5,000 cars. I have found in the last fortnight the reports of improving business so many and so general that it has been impossible for me to consider them all. Argentine beef is being shipped to New York free of the tariff tax, and this has resulted in a decline in the wholesale New York market for beef of about 4 cents a pound.

Is that encouraging news to the cattle growers of the United States?

Butter has been reduced in price by the large recent importations of that food. The importations of Argentine corn has, during the recent winter, operated at least to prevent a rise in the price of corn in our Atlantic coast cities, if it has not directly reduced the price in those cities.

What comfort can Mr. Redfield get out of the fact that because of his party's action he has taken the bread and butter from the mouths of the very people that support him in his present position? It is the people of the United States he should aid through legislation. The value of farmers' products has been decreased. Is there any glory in that sort of an argument for our producers? If so, I want him to have it all; I do not want any of that kind of glory.

Now, how about idle cars? Is Mr. Redfield correct? I have an official statement furnished me on the 22d of April of this year, which says there were 70,000 idle cars on the 15th of April, 1913, and 213,000 idle on the 15th of April, 1914.

Mr. GREEN of Iowa. And it is growing.

Mr. FORDNEY. It is growing—81,000 idle cars added to the number in a single month, from March 15 to April 15 of this year.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HUMPHREY of Washington. Does the gentleman expect it would make any difference in the statement of Mr. Roseyfield?

Mr. FORDNEY. I do not know as to that. For several years past it has been the attitude of the Democratic Party that a low tariff or free trade would greatly increase our ex-

port trade; that manufactures required free raw material to meet foreign competition. Secretary Redfield made a speech in May, 1913, while the new tariff law was being considered in Congress, in which he said:

The day of industrial fear is passing.

He also said:

We have shaken off the shackles of real industrial slavery to enter the arena of free competition, strong, athletic, and vigorous, in which our business will be stronger and safer and in which we shall be happier than before.

Secretary Redfield in December pointed with pride to the great balance of trade of the United States for the year 1913—nearly \$700,000,000—and made glowing prophecies for the future.

Oh, where is it now? Where is Redfield? Adopting an expression recently used in the Senate, he is "under the ammunition wagon" so far as this kind of argument is concerned.

Gentlemen, our balance of trade in our favor since 1897 has averaged under a Republican protective-tariff law about \$45,000,000 to \$50,000,000 a month, or in the neighborhood of \$600,000,000 a year for all these years. Under this Underwood tariff law there is no fair comparison to be made except since the 1st day of March, and for this reason: Although that law took effect on the 3d day of October last, wool did not go on the free list until the 1st day of December. Manufactured woollens did not go on the free list until the 1st day of January, 1914. The duty on sugar was not reduced until the 1st day of March. So that March of this year is the only fair comparison of exports and imports under this law as compared with our Republican tariff law. Our balance of trade for the month of March fell off to \$5,000,000.

Mr. GREEN of Iowa. Four million eight hundred thousand dollars.

Mr. FORDNEY. Four million eight hundred thousand dollars. I thank the gentleman; I was speaking in round numbers. The importations for the month of March included \$111,000,000 worth on the free list and \$70,000,000 worth paid duty; 62½ per cent of all our imports were on the free list.

Gentlemen, I want to point out to you some of the Democratic inconsistencies in reference to the employment of child labor abroad. I have here a letter from the American consul at Bradford, England, Mr. August E. Ingram, dated April 22, 1914. I wrote him asking him to give me some statistics as to the employment of child labor in the factories of England, and here is what he said in part:

The annual report of the juvenile employment committee—their first report—has, among other things, some interesting tables; while the three pamphlets or handbooks in regard to (1) the woolen and worsted trade, (2) the engineering trade, and (3) the professions, give, especially the first and second, some of the very statistics that you wish. I also send you a copy of the report of the Bradford education committee for the year ended July 31, 1913, which, on page 71, gives the number of so-called "half-timers"—that is, children who, having reached the age of 13 and being in a certain prescribed standard or grade, are permitted to work half time at some employment, attending school the other half of the day. The number of such half-timers in Bradford is, according to the latest return, 5,161, while the total for England is, according to a recent newspaper statement, 70,255. Bradford is said to head the list of all cities in the country for half-time or child labor, the spinning mills apparently finding their labor most desirable, although various automatic doffing mechanisms are now on the market.

There is at the present time a bill pending in Parliament amending the law in respect to the employment of children and their attendance at school. As yet, I have been unable to learn much about it beyond various statements in the newspapers. Among other things, I read that in Scotland half-time labor does not exist, and the bill also proposes to follow Scotland's example in establishing compulsory attendance at evening schools. I also read that at a meeting in London on child employment it was stated that children 3 or 4 years of age were employed sewing or linking hooks and eyes on cards; 5 years old were employed fitting covers on boxes; and there were thousands of children but a few years older than this in Birmingham, Nottingham, and the East End of London, who are regular wage earners.

At a conference of the Workers' Educational Association (north-western district) held recently in Bradford, Mr. Frederic Keeling, of London, who was introduced as the leading authority on the question of the employment of children, said in the course of an address that 2,250,000 boys and girls under 18 years of age were working for wages in this country. Of these about 240,000 were children attending school full time and working out of school hours, as milk boys, newsboys, street traders, etc. In regard to "blind-alley" employment, he said that 300,000 or 400,000 boys were working at jobs in which they would not be wanted after reaching the age of 16 or 17 years.

Mr. Keeling has just issued a very complete historical account of the attempts to restrict and regulate child labor in the United Kingdom; and in view of your interest in the matter I have ordered a copy of it and will send it to you by the next mail.

And yet you Democrats remove a protective tariff and encourage the importation of the product of this foreign cheap child labor employed in Europe, but continue to claim you are a friend of labor in this country. Are you consistent? You are an enemy of our laborers by your action in this matter.

On the 28th of April Mr. Ingram again wrote me, and he gives me the employment of children, taken from statistics furnished by the English Government. In part, he said:

SIR: I now beg to give you the following statistics taken from Volume X, Part II, of the series of Official Blue Books, tabulating the results of the 1911 census of England and Wales, issued last December:

1. As to the number of males and females from 10 to 16 years of age engaged in occupations, which includes domestic service:

	Years.				Total.
	10-13.	13-14.	14-15.	15-16.	
Males.....	21,583	75,561	222,854	278,275	598,273
Females.....	10,243	39,033	133,217	193,285	375,778

2. The total number of males and females of all ages engaged in occupations was given as follows:

Males.....	11,453,665
Females:	
Unmarried.....	3,739,532
Married.....	680,191
Widowed.....	411,011
	4,830,734

3. The total number of persons occupied and unoccupied was stated as follows:

	Males.	Females.
All ages.....	17,445,603	18,624,884
Under 10 years.....	3,783,403	3,767,771
10 years and upward.....	13,662,200	14,857,113

The statistics of occupation for the textile manufacturers of England and Wales are as follows:

	Ages.				Total.	Total of all ages.
	10-13.	13-14.	14-15.	15-16.		
Males.....	8,169	14,167	17,035	15,974	55,345	400,474
Females.....	8,833	19,948	30,617	33,478	92,876	642,011

The wages paid in Europe and in the Orient run from 20 to 88 cents per day, and yet my Democratic friends have voted to remove the duty on cotton below the protective point, so that it will bring into competition with American labor the products of labor receiving that rate of wage.

I am going to show you now what the effect has been. Here is a statement furnished to the Ways and Means Committee one year ago by a firm that has factories and manufactures mohair and alpaca goods in this country, and also at Bradford, England. The one located in this country is at Greystone, R. I. I shall not undertake to detail the wages paid, but they give the comparative wages for the different classes of labor in both their factories. The gentleman who furnished it was here to appeal to this Congress to maintain upon those goods a protective tariff, otherwise his firm would have to close their factory at Greystone, where they have a million and a half dollars invested, and furnish us with the articles they produce in Bradford, England. Their wages averaged in England 40 per cent of the wages paid by them at Greystone, R. I.

I have here a list of certain articles that were imported during the month of March—cotton, dress goods, lining, yarns, silk, wool tops, oils, sheepskins, carpets, mohair; and several other things are included. During March, 1913, under the old law there were \$800,000 worth of these particular goods imported, and under this law, in March, 1914, there were \$3,083,000 worth imported, or an increase of importations of \$2,283,000 for one month alone. The money sent abroad to buy this great increase in importation at \$50 per month would give employment to 45,600 people here at home one month.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GREEN of Iowa. In referring to the increase in the importations the gentleman means simply on those specific articles?

Mr. FORDNEY. Yes, sir.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield long enough to enable me to read a dispatch from San Francisco which appeared to-day?

Mr. FORDNEY. Yes.

Mr. HUMPHREY of Washington. Here is an Associated Press dispatch:

SAN FRANCISCO, May 8.

The steamship *Benefactor*, due here from the United Kingdom in 10 days, is laden with 11,950 boxes of tin plate.

No other extensive importations of tin plate have been made since the institution of the tin-plate industry in the United States.

Mr. FORDNEY. Yes; that industry shows 650 per cent increase in importations in one month.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Certainly.

Mr. WOODRUFF. The gentleman has enumerated the increase in the various articles, and the increase in some of them has been very large. Can he tell the membership of the committee wherein, if any, there have been any reductions in the retail prices of these various articles?

Mr. FORDNEY. I do not know of any reductions, but I will tell the gentleman what the duty on tin plates was under the Payne tariff law. It was 1½ cents per pound, or \$1.20 a hundred pounds. Under this new tariff law the duty is 15 per cent ad valorem, and when valued at 3 cents a pound, with 15 per cent ad valorem, the duty collected amounts to 45 cents a hundred pounds as against \$1.20 under the old law, and if tin plate was selling at 4 cents a pound, 15 per cent ad valorem would be six-tenths of a cent per pound, or 60 cents a hundred pounds, which is one-half the duty under the Payne tariff law. That reduction of duty has brought the duty down below the protective point, and we are now consuming Welsh tin instead of having tin made in our factories in this country. This low duty permits the importation of foreign tin plate.

Mr. WOODRUFF. Mr. Chairman, will the gentleman yield further?

Mr. FORDNEY. Yes.

Mr. WOODRUFF. I was trying to find out from the gentleman how much, if any, of the promised reductions had been made to the consumer.

Mr. FORDNEY. None that I have heard of to the ultimate consumer. Leather goods, gloves, paper manufactures, manufactures of silk, vegetables, wool and woolen goods, and so forth, show in the total of all of these articles an average increase in importation of 64.2 per cent. The importations for the month of February were \$25,198,000, as compared with \$15,000,000 last year, or an increase in importations of \$9,861,000. We sent that much money abroad to buy an increased quantity of those goods over the amount we sent out last year for the same purpose; and if that increased exportation of money had been kept at home and given employment to American laboring men, it would have furnished employment, at \$50 per month, for 197,232 men one month. We will find enough unemployed by and by, so that the gentleman from Ohio can get some men for his farm, I guess.

I received a letter on April 23, written by Mr. Gary, president of the United States Steel Corporation, in reply to a letter I wrote him to find out business conditions with that company. He very kindly gave me a complete statement of the number of men employed and the wages paid and the percentage of business done by his company compared with the total capacity of their factories since the organization of that company in 1901 down to date, and the lowest amount of their output produced in any one year was 74 per cent of their total capacity.

On the 15th day of April they had 29,000 men less in their employment than they had on the 1st day of October last year; 29,000 men at \$2.96 a day who are out of employment in that one company alone. The United States Steel Co. produces 44 per cent of all the steel produced in the United States, and if other steel factories of this country laid off a proportionate number of men, then there are 65,000 men out of employment in the steel industry who were employed on the 1st day of October, 1913.

Mr. HUMPHREY of Washington. There are some farm hands.

Mr. FORDNEY. There is some more labor, my Democratic friends, for your farms. Gentlemen, the amount of money paid, \$2.96 a day for the labor of 65,000 men, amounts to \$5,070,000 a month which is not now getting into circulation.

Now as to leather goods. The importations of leather goods under the old law were \$9,638,000 in six months of last year, and under the new law during the corresponding six months of this year \$13,814,000, an increase of \$4,176,000, which is the added money that was sent abroad by our people to pay for leather goods made by foreign labor; and if that money had been kept at home and given to American laboring men it would have employed 13,925 for six months at \$50 a month. Some more laborers for your farms, my Ohio friend. Now as

to the glove industry. The Democrats reduced the duty on ladies' gloves from \$2.25 per dozen pairs to \$1 per dozen pairs; men's gloves, \$4 per dozen pairs, were reduced to \$1 per dozen pairs. This has caused an increased importation in six months of \$1,125,000 worth of gloves, and if the laborers of this country had been given that money it would have furnished employment for 3,752 people for six months at \$2 a day, which is about the average wages paid in the glove factories. Now in regard to cotton, my friends. Cotton importations for five months increased \$2,600,000 in certain grades.

The labor employed in cotton mills receives about \$1.50 a day in the North and less than \$1 a day in the States south of the Mason-Dixon line, and if this money had been kept at home it would have furnished employment to 13,000 people at \$1.50 a day for five months. We import what is known as sea-island or Egyptian cotton, and we convert that raw material into the finished product in this country. We import it because it is a high-grade cotton and fine goods are made from it to better advantage than from our domestic short staple cotton. Last year we imported \$12,539,000 worth of raw sea-island or long staple cotton and converted it into the finished product with American labor, and the value added by manufacturing was more than equal to the cost of the raw material. There is no import duty on raw cotton, but you, my Democratic friends, reduced the duty on the finished products of cotton to such an extent that this year we imported only \$6,031,000 worth of raw cotton, a falling off of \$6,508,000. It is now being converted into the finished product by cheap labor abroad, because you reduced the duty on the finished product to a point so low that cheap labor abroad can produce it and bring it into this country at a less price than we can make it at the American scale of wages. If your party had not reduced the duty on the finished products below a protective point, this \$6,508,000 would have employed at home at \$1.50 per day 32,540 people for six months. I guess you can get enough laborers for your farms out of that number.

Mr. POST. The gentleman is overwhelming the farmer.

Mr. FORDNEY. I am telling the gentleman where he can get laborers for his farm. Now, when you compare conditions in England and in the United States in regard to the conditions of labor this is what you will find, and it is good evidence that we have been more prosperous during recent years under the protective policy than they have been in free-trade England. The census of 1910 shows we had 64,000 paupers in almshouses in this country, and in Yorkshire, England—where Bradford is located—the greatest manufacturing center, perhaps, in the world, there were 78,000 paupers in that one county alone, according to the English census of 1911. And in all England, where there are but 32,000,000 people, compared with our ninety-odd millions, there were 883,000 paupers. We have three times their population. Is not that evidence that the laboring class of that country has not been as prosperous as in this country? I think it is. It was stated by one gentleman who appeared before our committee last year—Mr. Parker, who is president of 16 cotton factories in North Carolina and South Carolina—that the cotton mills of this country could compete with the world. I asked Mr. Parker if it was true that labor in the cotton mills of the North received a higher standard of wages than was paid in the South in the cotton mills, and he said it was not.

I consulted the Tariff Board report and the census report and found this startling condition: In the cotton mills of South Carolina and North Carolina the wages averaged 86 cents a day, while in the cotton mills in the North Pennsylvania paid the highest wages of any cotton mills in any State of the Union, and the average rate north of the Mason-Dixon line was \$1.42 a day. Therefore the labor in the cotton mills of North Carolina and South Carolina received, according to the reports of the Tariff Board and the census report, 58 per cent of the wages paid for the same class of labor in the cotton mills of the North. Of course, Mr. Parker, of South Carolina, could live under free trade where the cotton manufacturers of the North could not.

Mr. POST. Will the gentleman yield?

Mr. FORDNEY. Yes, sir; if you will be brief.

Mr. POST. Is the tariff responsible for the difference in price paid to those employed in the cotton mills of the South and the cotton mills of the North?

Mr. FORDNEY. I did not say that at all. But I do say this: When Mr. Parker, of South Carolina, makes the statement that he can manufacture and compete with the cheapest labor in the world it should be remembered he pays but 86 cents a day to his laborers, whereas in the North wages are \$1.42 a day; and any man that would ask for legislation that would curse his neighbor and not permit him to live is nothing more nor less than a cannibal.

Importations of corn, oats, breadstuffs, potatoes, butter, animals, and eggs into this country are rapidly increasing, on account of the Democratic tariff law, as the following table shows:

Comparison of importations of seven leading agricultural products during six months of the Payne tariff law (October, 1913, to March, 1914) with six months under Underwood tariff law (October, 1913, to March, 1914).

Products.	Payne tariff act.	Underwood tariff act.
Corn.....	\$141,617	\$5,705,783
Oats.....	26,434	6,494,484
Breadstuffs.....	7,820,409	24,208,105
Potatoes.....	131,605	1,524,216
Butter.....	173,926	1,460,950
Animals.....	4,896,054	15,409,879
Total.....	13,190,046	55,623,479

Increased importations, \$42,433,433.

If this \$42,433,433 had gone to American labor, it would have given employment to 170,806 men at \$1.50 per day for six months.

The farmers of this country are going to remember you and the compliments you paid them when they take pencil and ballot in hand and go into the booths next fall. [Applause.] If they do not, they are bigger fools than I think they are. [Applause.]

Mr. CLAYPOOL. There is quite a discrepancy between wages paid in the North and in the South—

Mr. FORDNEY. Yes, sir.

Mr. CLAYPOOL. And I wanted to ask, for information, how the gentleman accounts for that condition. Of course he can not account for it, as I understand the gentleman, on the protective-tariff theory; so how does he account for it?

Mr. FORDNEY. My friend, it is a mighty difficult question to solve, but I will say this: Myself and business associates are employing men in the lumber woods in the State of Mississippi, and also in the State of Washington, on the Pacific coast, at the same kind of labor. On the Pacific coast we pay an average of \$3.26 a day, and in Mississippi we pay an average of \$1.77 a day. Can you tell me why that difference in wages should exist? The duty on lumber is measured with the same yardstick for the State of Washington as for the State of Mississippi. But the difference exists, and no human being can tell why.

Mr. GORMAN. Are the men in either of those sections identified with labor organizations?

Mr. FORDNEY. No, sir; they are not.

Mr. CLAYPOOL. The gentleman knows that the same difficulty as to difference in wages exists between Europe and America?

Mr. FORDNEY. No; the gentleman is mistaken. No such difference exists in any one European country—foreign wages are more uniform. One gentleman asked the question here why labor in free-trade England is higher than in protected Germany. I can give you one instance that may explain this question quite fully—the pottery industry. Abroad the female labor receives from 32 to 36 cents a day and male labor 80 to 86 cents per day. But there is a greater percentage of female and child labor employed there than here. In the South you have negro labor, the cheapest labor found in the United States, and perhaps that accounts for the lower wages paid in the cotton mills of the South.

Mr. BARTLETT. I would like to say to the gentleman that the negroes do not work in the cotton mills.

Mr. FORDNEY. Oh, yes; they do. I have seen them. I have gone through cotton mills in the South and have seen them at work.

Mr. BARTLETT. They are employed in menial work. There is one cotton mill in South Carolina owned and operated by negroes, but the negroes do not work generally in the cotton mills of the South. The gentleman is mistaken as to that.

Mr. FORDNEY. I do not say on a large scale; but they are employed in the cotton mills at common labor.

Mr. BARTLETT. The question I was going to ask was as to the difference in the people employed in Mississippi and those in Washington. Those in Mississippi are colored people and those in Washington are not?

Mr. FORDNEY. About half of those in the South are white, and half of them are negroes—I am speaking of the lumber mills and camps—and between the wages of the negro and the white man for common labor there is no difference in Mississippi.

Mr. BARTLETT. You mean in your business?

Mr. FORDNEY. Yes, sir; in our business.

I wish to call your attention, gentlemen, to your Democratic platform—

Mr. HUMPHREY of Washington. Everybody knows all about that part you want to quote.

Mr. FORDNEY. You have a plank in your Baltimore platform declaring for free tolls for coastwise vessels going through the Panama Canal, which reads as follows:

We favor the exemption from tolls of American ships engaged in coastwise trade passing through the Panama Canal.

Your platform further states:

Our platform is one of principles which we believe to be essential to our national welfare. Our pledges are made to be kept when in office as well as relied upon during the campaign.

You now propose to repeal free tolls to our coastwise shipping—at the request of England.

Did you mean what you wrote in that platform? The other day I was out riding with a gentleman, and we went through a beautiful cemetery, in which there was a vault built by a noted man in public life. I said, "Why, that vault faces to the west, and when Gabriel comes from the east, blowing his trumpet, that man will face in the wrong direction." He turned to me and said, "My good friend, that man can change his position and meet Gabriel quickly; he can change his position as quickly and easily as Woodrow Wilson and the Democratic Party." [Laughter on the Republican side.]

Woodrow Wilson, in public speeches delivered in 1912, promised the people of this country that if elected he would injure no legitimate industry. Did he mean what he said? If so, has he carried out his pledge? He signed a free-trade tariff law. You may call it what you please, but it is free trade, because that law has fixed duty rates below the point of protection, and thereby he has endangered or crippled to a very great extent our great agricultural industry of this country. He has also injured every legitimate factory in this country employing American labor.

Go to the lumber industry, gentlemen. There are 800,000 men employed in the sawmills of this country when running full blast, and about 25 per cent of those men are out of employment to-day, or, in round numbers, 200,000 who are idle. The average wage is about \$2 a day, making a loss of \$400,000 a day to our labor.

The duty removed from lumber alone does not affect that industry. If you had removed the duty on lumber and left it where it was—at a protective point—on all other products, it would not have affected the lumber industry so seriously; but by reducing the duty all along the line you have put out of employment a large number of American laboring men, reducing the value of the property and the products to be turned out and consumed. You have reduced the purchasing power of the people of this country, and all along the line the purchasing power of the people is less to-day than under the protective-tariff law. And it is going to go lower, as I fear, but I shall hope and pray with you that it does not.

Mr. NORTON. Mr. Chairman, will the gentleman yield for a question there?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from North Dakota?

Mr. FORDNEY. Yes.

Mr. NORTON. Has the reduction of the tariff on lumber reduced the price to the consumer?

Mr. FORDNEY. I am not in the retail business, but I was told by a retailer the other day that he had not changed his price to the consumer, although, as a manufacturer, we are selling lumber to-day at our mill in the State of Mississippi at \$5 a thousand lower than we sold for in March, 1913.

Mr. Chairman, how much more time have I?

The CHAIRMAN. The gentleman has three minutes.

Mr. POST. Mr. Chairman, I want to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. FORDNEY. I yield.

Mr. POST. Are you selling your lumber at a loss now?

Mr. FORDNEY. Well, my friend, I will be candid with you. It is a question whether or not we are getting a new dollar for an old one. But there is another feature to be considered: We have 450 men in our employ in the lumber camps and mill. They are performing most faithful service. Those people represent a population of 1,800 or 2,000 men, women, and children.

If we close our mill to-day, where will those poor people turn to seek a livelihood? It is for me and my associates to consider seriously, sir, whether we will close down and throw out of employment those faithful servants, who have stood by us through thick and thin, when we can run without too serious a loss. We can not close our mill without a serious loss, for taxes, interest, insurance, and depreciation and certain overhead expenses

continue whether we are closed or running; and it is a question to-day—and I am candid about it—whether or not we are getting back a new dollar for an old one. But we are running and trying to avoid serious loss.

I have a report here from the Home Market Club, of Boston, which club gathers much statistics on the operation of woolen mills, and on the 2d day of March, out of all the mills reporting, 27 per cent of the looms were closed down. There are 168,000 employees in the woolen mills, and 27 per cent means 45,500 out of employment in that industry.

I can go on and show similar conditions existing all along the line. What is true of one industry is true of another. I regret exceedingly that we are not on the crest of a wave of prosperity. Capital can never be prosperous unless labor is well employed and prosperous, and the prosperity of American industries will reflect prosperity on all the people. No legislation should be enacted that will attempt to separate capital and labor. Class legislation is neither just nor equitable. It is contrary to the Constitution of the United States, my friends, to give one man prosperity and not others through legislation. I thank you, gentlemen. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. DAVIS. Mr. Chairman, how much time has been used?

The CHAIRMAN. The Chair desires to state that the Chair has made a calculation, and after we have evened up the time there remains 1 hour and 13 minutes, so that it will give the gentleman from Illinois [Mr. HINEBAUGH] 12 minutes, the gentleman from Georgia [Mr. BARTLETT] 18 minutes, and the gentleman from Minnesota [Mr. DAVIS] 43 minutes to close within the time that the House instructed the committee to close, namely, 4.35.

Mr. BARTLETT. Mr. Chairman, how much time have I used?

The CHAIRMAN. All but 18 minutes. The gentleman has 18 minutes remaining, and the gentleman from Illinois [Mr. HINEBAUGH] 12 minutes, and the gentleman from Minnesota [Mr. DAVIS] 43 minutes.

Mr. DAVIS. Mr. Chairman, I yield to the gentleman from Iowa [Mr. Good].

Mr. BARTLETT. How much time have I used?

The CHAIRMAN. Three hours and eleven minutes. The gentleman from Minnesota [Mr. DAVIS] has used 2 hours and 46 minutes.

Mr. DAVIS. I recognize the gentleman from Iowa [Mr. Good].

The CHAIRMAN. The gentleman from Iowa [Mr. Good] is recognized.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by the insertion of some extracts from the speech of Col. George Harvey, editor of the North American Review, delivered before the Merchants' Club of Boston on April 21, 1914, entitled "Defense of the administration."

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD by the publication of the speech indicated. Is there objection?

There was no objection.

Following is the speech referred to:

DEFENSE OF THE ADMINISTRATION.

(Extracts from the speech of Col. George Harvey, editor of the North American Review, before the Merchants' Club April 21, 1914.)

The last time I was in Boston I was on a political mission. It was in the summer of 1910 when, on returning from my native State, I met by appointment at the Hotel Touraine a gentleman, Woodrow Wilson, who had journeyed hither from his resting place on the banks of the Connecticut River. So it happened that I came from Vermont and he from Connecticut to this abode of political inspiration in Massachusetts, for the purpose of constructing a party platform for the use of Democrats in New Jersey. We struggled manfully at the task for two evenings, and, since I had comparatively small part in the actual construction of the document, I may say frankly with no little success.

In any case the doctrine enunciated, though anything but reactionary, proved so pleasing to the Jacksonians in New Jersey that I had little difficulty in inducing them to accept it, and in the following September the gentleman who had most to do with putting it into words was delegated to stand behind it as candidate for governor, and in due course of time was, as the current phrase runs, triumphantly elected. Thereupon, after having put those principles into active practice to the great satisfaction of the State, he was called up higher, and at present is shaping the course of the Nation from the Executive Mansion in Washington.

Of our foreign policies under this administration we may say, without undue boasting, that they are such as they are. Our attitude toward Mexico has not, of course, been to the liking of everybody in the United States or to anybody, apparently, in Mexico, except our amiable allies, Mr. Villa and Mr. Carranza. But how, I beg to inquire, could we make it more satisfactory or more consonant with international usage without virtually admitting that we had taken a false step at the beginning, a quite impossible confession, as all must agree. And have we not confounded the critics of watchful waiting by our

recent spirited action? Who now, in the face of 40 battleships steaming fearlessly before the frowning guns of the impregnable fortifications of Tampico, can attribute to us a craven spirit? I venture to say that as a result of that splendid maneuver the whole world has awakened to realization of the fact that we could, if we would, fight our way into that ancient village and capture it.

But it is no part of our purpose to utilize the strength of a giant simply because we possess it. We have no eager hope to engage in a bombardment which might conceivably result in frightful carnage through the bursting of a bottle of club soda upon one of our own battleships. To enhance our military glory is not our desire. That is not the problem. To salute or not to salute? That is the question to whose solution is being brought to bear all of the unsuspected resources of our diplomacy. As true Americans, devoted to the cause of peace and forbearance, let us hope and pray that the Mexican Government will not only accede to our gentle suggestion, but, what is more to the point, that it may be able to find somewhere in the vicinity of Tampico a cannon that can be fired 21 times without exploding. Else how can we anticipate that our Secretary of State will ever be able to place upon his brow the laurels of a world pacificator and clasp to his bosom the Nobel prize of \$40,000, the equivalent of \$6,000 full-paid subscriptions to the *Commoner*? But it is far from my intention to discuss our variegated Mexican policy at this time. I couldn't do it. I shouldn't know, at the moment, whether to laugh or to cry.

But while our composite democratic mind may at times seem to be closed, it is never really locked. We are always ready and willing to learn. No reasonable person, of course, could have expected us to recognize the de facto government of Mexico after we had once put our heel in the ground in refusal, but you may have noticed that subsequently when precisely similar conditions arose in Peru and Haiti we lost not a moment in according recognition to what was, even though it seemed to our higher thought what it ought not to be, thus disproving conclusively accusations of obduracy and inattention to the demands of expediency. Never again, you may rest assured, shall we fall into the error depicted by *Rameses II*, when, in giving instructions to the nephew who was to succeed him, he defined the difference between a diplomat and a lady.

"If a diplomat," he observed, "says yes he means perhaps; if he says perhaps he means no; if he says no he is no diplomat. On the other hand, if a lady says no she means perhaps; if she says perhaps she means yes; if she says yes she is no lady." You may be certain that we shall not soon again definitely, inflexibly, and irrevocably negative the designation of a President by another nation. As the colored gentleman about to be hanged remarked, somewhat pathetically, "This experience is going to be a mighty good lesson to me."

So far as our other diplomatic endeavors are concerned, we direct attention to the difference familiar to all between theory and practice. We denounced dollar diplomacy instinctively. The very word "dollar" grated harshly upon our tender sensibilities. We could hardly sleep o' nights while Mr. Knox was making a sordid trade with Nicaragua. And yet when, after having been placed in authority, we listened, as was our duty, to the pleadings of those unhappy neighbors, we not only confirmed the transaction, but voluntarily threw in \$3,000,000 to boot as evidence of good faith and kindly feeling, no less than of our own contempt for mere dross, so long as it can be extracted without undue attention from the Treasury of the United States.

So, too, with Colombia. There was a clear case of the pressing need of righting a wrong, and we are doing it or trying to do it after a fashion fully illustrative of our magnanimous disregard of millions. That the injury was inflicted and that reparation should be made there can be no question, but why it is necessary to take \$25,000,000 from our taxpayers, when but a few years ago \$10,000,000 would have been most gratefully accepted, and to couple with this payment an expression of regret closely approaching an apology for the action of a previous administration, along with the privilege of using our canal free of charge, may indeed seem to some as undue encroachment upon our generosity. So, at least, I am confident it will appear to the redoubtable huntsman whose comment upon his return we await with zestful anticipation.

Now for the tariff. We reformed the tariff not precisely as we reformed our Diplomatic Service, because we reduced it. That is what we promised to do. That is what we were elected to do. The precise degree of that reduction was not fixed during the campaign, and it must be admitted that we went somewhat beyond the terms of the bill which had already passed the Democratic House of Representatives. Some say even now, as *Artemus Ward* said of Napoleon, that we "tried to do too much and we did it." "People in Louisiana who are breaking their sugar machinery into junk and some of the beet growers in the West are talking that way, very much as the farmers voted at the recent congressional election in Iowa. But what of it? We had a principle to sustain and sustained it. The time may come, in fact it seems to be approaching, when we may need the \$50,000,000 of revenue so easily derived from the small tariff upon sugar, but if so, we have only to increase the income tax.

It is all quite simple and logical. Mayor Van Wyck insisted that Mr. Devery was the best chief of police New York ever had. And that is our attitude toward our new tariff. If it is not satisfactory from one point of view, it is from another. We Democrats have more than one string to our bow. Granting that the expectations of our optimistic Secretary of the Treasury are not being fully realized, then all we have to do is to fetch forward our ebullient Secretary of Commerce, with his proud assertion that our markets are not being filled with foreign products. In this way we are enabled to establish the soundness of our original contention regardless of the consequences. That is what we call team work. When one prediction fails, another is fulfilled beyond peradventure.

Occasionally we hear remarks of the dearth of employment for workmen in this section of the country. But there is nothing in that. You manufacturers are very prosperous. You may not know it, but you are. If you have any doubts upon the subject, we will send Mr. Redfield up here, and he will convince you by the exegetical process of reasoning that you are, or at least ought to be, which is the same thing. In any case, according to actual statistics in our possession, nearly 60 per cent of your working people are employed, and surely that is a very good percentage when you consider that you can not enact Democratic measures without expecting to get Democratic results.

The charge is brought against us Democrats that, although having for years professed an ardent desire for economy in the administration of public affairs, we are indulging in extravagance. This is a phase of our administration which for various reasons I do not care to dwell upon in detail. But as a slight indication of the baseness of the assertion, I would direct your attention to the fact that only the other day the Secretary of State appeared before the Senate Committee on Appropriations and announced with pardonable pride that while he had

been conducting the affairs of his department with all the fire and dash of an anglerworm, he had reduced the estimated expenditures of his department from \$354,160 to \$354,040, thus effecting a net saving of \$120 per annum. He achieved this reduction, moreover, without impairing the so-called efficiency of his force. Acting under the inspiration of his financial astuteness, by the simple method of dropping a clerk, who had been drawing \$900 a year, he was enabled to employ a footman, and added, somewhat pathetically, "You gentlemen, of course, know that you can not get along with a driver alone when engaged in the matter of returning cards." The Senators addressed nodded understandingly and, probably to show their own familiarity with the conventions, granted the allowance. So, too, finally did the House, though with less grace, because Representative Good, of Iowa, disliked the appellation "footman" and wished to substitute "messenger who shall act," etc. After Mr. Good's motion had succumbed to a point of order, Representative MURDOCK, of Kansas, objected to the appropriation for "equipment for drivers," which he insisted meant "livery and nothing else," and said emphatically, "I know the Secretary of State; I protest for him; I know the country from which he hails and its customs; we do not believe in that sort of thing out there." Nevertheless, since nobody seemed to know what is considered a suitable costume for a footman where footmen are unheard of and the only cards known are euchre decks, the protest passed unheeded and the appropriation was made with but one condition, that "equipment" should not comprise "skin-tight pants," thus completely demolishing the theory of the Peacham philosopher that "it's not the coat that makes the man, it's the pants."

Mr. DAVIS. I yield to the gentleman from Pennsylvania [Mr. FARR].

[Mr. FARR addressed the committee. See Appendix.]

Mr. BARTLETT. I yield to the gentleman from Kansas [Mr. CONNELLY].

Mr. CONNELLY of Kansas. Mr. Chairman, my admiration for some of these distinguished gentlemen who are opposed to old soldiers' pensions is so great and so genuine that I really regret that they take the position that they do regarding these old soldiers, who at best can have but few years to enjoy the largess of a nation's gratitude through the agency of their quarterly pensions.

I wish that I could vote for every dollar appropriated here with as good will and as clear a conception of duty done as I can when I cast my vote for these old soldiers' pensions. Mr. Chairman, I say this as a Democrat coming from a State that has been held in the Republican column for nearly half a century, largely through the influence and the vote of the soldiers of the Civil War. The politicians of my State have for years made every effort to hold this vote by appealing to the prejudice engendered in the war, and trying to make the old veterans believe that they were in danger of losing this stipend that comes to them from the Government should the Republican Party lose control. They have made the matter of pensions a partisan matter instead of placing it upon the high grounds that it should always occupy, that of being a patriotic matter. While a great majority of these old men in my district will to-day be found going to the polls and voting a different ticket from the one that I choose to vote, I may doubt their judgment but I never doubt their patriotism, and they have the right to vote as they desire. I have no respect for any man who views the pension matter from a partisan bias.

Mr. Chairman, I hope that we are far enough this side of the great conflict that was all settled five years before I was born to look at the conditions now without viewing them through the smoked glasses of prejudice. There have been thousands of people who have grown up in my State who have not only believed but they have been encouraged to believe by men who were profiting by the old soldier vote that every Democrat was a rebel and at one time desired the dissolution of this Union. I had three uncles who heard the cry of their country's distress in the dark days of sixty-one. One of those uncles, a beardless boy, fell charging up the slopes at Fredericksburg; the other two came home, and, with honorable discharges, drew pensions until within the last two years, when they have crossed the silent river. They went to the war as Democrats, they came home Democrats, they lived and died Democrats. They believed that the Union should be preserved, but they never faltered in their devotions to the principles of Jefferson or doubted the wisdom of his teachings.

Mr. Chairman, these old soldiers have shown that they were loyal and patriotic, and they have the right to vote as they please, and they have the further right to expect this Government, under the administration of any party, great and rich and powerful as it is, to not refuse them food and shelter and raiment and medicine in their old age, as they totter down the last few years of the sharp decline of life's highway. Mr. Chairman, the lines drawn through the special bills that we have from time to time considered tell the story of the going of some of these old warriors while we are quibbling over a few paltry dollars that they have asked for to make smooth the last end of their journey here. Even while we stop in our deliberations the pontoons of death are heavy with the tread of their marching feet, marching to "Fame's eternal camping ground."

Mr. Chairman, I want to economize, and I know there are many places where it could well be done, but I do not want to begin at the expense of these old men, their wives and their widows. I would like to go back to my district and tell my people that this Congress had been careful with the people's money, but I do not want to say that we saved a dollar by taking it from the men who went down into the valley of the shadow when the lamp of the Nation's life flickered and all but went out. I want every soldier to know that this Nation has not forgotten and will not forget. I want him to know as he sits in the gloaming, in the twilight of the eventide, as he sits there in retrospect, as he hears the end of life's tollsome way—I want him to know that this Nation is not unmindful, is not ungrateful. I want this Nation to be just and, if you please, generous to these old men and their widows. I want this because I believe it their due, but I want it for another purpose as well.

I want the boy of the future who is just budding into stalwart manhood, if he should ever hear the blast that calls him to the defense of his country's flag—if he should say at that time, "Take my measure for a suit of the blue"—I want him to feel that in case he ever needs a few paltry dollars when he is old and poor and sick and discouraged, that this Nation will not be grudging in the granting. I am ready to stand by the side of the gentlemen here who are opposing the civil-service pensions for the men who have held good offices all their lives and who have drawn ample pay for the services they have rendered. It took no patriotism, no devotion, no sacrifice to accept the job and assume the responsibility. I want to be counted against that pension; but in every case where the committee finds that one of these old and decrepit veterans needs a few more dollars to tide him over the remaining span of life they can have my vote for him to have it. Some gentlemen have gone to the trouble to figure out that each one of the special pension bills sets the Nation back \$8,000. I have not the figures at hand, but I suppose they are in the main correct. If we pass 10 of these bills, the total will aggregate \$80,000 per year, or nearly 1 mill for each voter in the United States. Mr. Chairman, I want to be economical, but I do not want to save one-half of 1 cent for every family of five in my district at the price of ingratitude to these old men, their wives, and their widows. There is no class of people in this great Nation that is demanding it; there is no party nor creed who want it done. In the few years that he has yet to live under the friendly folds of the flag that he followed as his pillar of cloud by day and of fire by night let the old soldier vote the way he wants to vote, but let him understand that no vandal hand shall touch the little stipend that he draws in the shape of a quarterly pension from the Government upon whose altar he placed his all when the clouds of war hung low.

Mr. BURKE of Wisconsin. Mr. Chairman, we have before us to-day for consideration the annual pension appropriation bill, providing funds for the payment of pensions for the fiscal year commencing July 1, 1914, and ending June 30, 1915. This is one of the largest appropriation bills that receives consideration and action by Congress each year. This time it contains an appropriation for the payment of annual pensions, and fees for examining surgeons, for the year mentioned in the sum of \$169,150,000.

It has always been a pleasure to me during my short career in this House to support by my vote the annual pension appropriation bills and other special bills providing pensions for the old soldiers and sailors, their widows and dependent children. This general pension appropriation bill I shall also with pleasure support and vote for. Observations and statistics show that there is a smaller percentage of pension appropriations wasted or misused than there is of any other Government appropriations of equal size. Experience and observation also show that there is no money appropriated by the Government which carries so much happiness and joy to the homes of our citizens as does the annual pension appropriation bill. No money appropriated by the Government is so equally distributed and kept so constantly in circulation. Of all the money that Congress annually appropriates none is so cheerfully and gratefully voted by the average Congressman, and none does as much substantial good among the people. These annual millions are divided, subdivided, and distributed among 800,294 pensioners upon the Nation's roll of honor.

ROLL OF HONOR.

The statistics for the last previous year indeed show it to be a roll of honor. In the annual distribution of these millions for pensions there is less waste and less fraud than in the appropriation and distribution of money by the Government for any other purpose. As evidence of the honesty, integrity, and honor of the old soldiers, their widows, and dependent children, let me present official statistics. It is shown by the records of the

Pension Bureau for the year ending June 30, 1913, that only 61 new cases for that year were presented by the bureau to the Department of Justice for prosecution on account of offenses against the pension laws. Where, I ask you, can there be found another 800,294 citizens with so little dishonesty and practicing so little deception and fraud? It shows us conclusively that honor and good character are precious to the old soldiers and sailors and their widows, and that they fight as valiantly to maintain and preserve untarnished the honor of their citizenship as they valiantly fought and battled for the honor and preservation of the Union; and yet some of our southern friends have the audacity to charge that the pension roll is not a roll of honor. Such indisputable facts prove conclusively that it is a roll of honor with a splendor not excelled by even the interior splendor of the Congressional Library, said to be the greatest splendor in the world.

CLASSES OF PENSIONERS.

Of the 820,200 pensioners on the roll at the close of the year ending June 30, 1913, 503,633 persons rendered service in the Army or Navy of the United, including 328 Army nurses, the remaining 316,567 being pensioned as widows and dependents. The number of individuals who served in the Army and Navy of the United States during the Civil War is estimated at 2,213,365.

The survivors of the Civil War on the roll on the 1st of July, 1912, numbered 497,263. These survivors at the end of the fiscal year, June 30, 1913, were, by death, reduced in number to 462,379, or a net loss during the year among the Civil War veterans of 34,884. This amounts to an annual reduction in the ranks of those heroes of 7½ per cent.

WIDOWS OF CIVIL WAR SOLDIERS.

On the 1st of July, 1912, there were 232,947 widows of Civil War veterans on the pension roll. On the 1st of July, 1913, there were 232,864 such widows on the pension roll, being a net loss of 83 during the last year.

WAR WITH SPAIN.

On the 1st of July, 1912, there were on the pension roll 23,841 survivors of the War with Spain, and 24,157 on the 30th of June, 1913. On the 1st of July, 1912, there were on the pension roll 2,931 widows of Spanish War soldiers, and at the end of that year there were 2,860 such widows on the roll.

The greatest number of pensioners ever carried on the rolls of the Government was 999,436 in the year 1902. The total amount paid in pensions for that year was \$141,335,646.95. The greatest amount of pensions ever paid in one year was in the year 1913, when the Government expended for that purpose \$176,714,907.39. It seems paradoxical that during the year 1913, when there were 179,246 less soldiers, widows, and dependents on the pension roll than in the year 1902, that the amount of pensions paid in 1913 should be \$35,379,050.44 larger than in 1902. An explanation, however, is simple and is due exclusively to the increase in pensions for Union soldiers provided for by the Sherwood age and service pension act, which became a law May 11, 1912.

NUMBER OF PENSIONERS AND ANNUAL AMOUNTS PAID.

The following table shows the total amounts paid for all pensions and the number of persons on the pension roll between the years 1902 and 1913, inclusive.

Number of pensioners and annual amount paid.

	Paid as pensions.	Cost, maintenance, and expenses.	Total.	Number of pensioners.
1901.....	\$138,531,483.84	\$3,868,795.44	\$142,400,279.28	997,735
1902.....	137,504,267.99	3,831,378.96	141,335,646.95	999,446
1903.....	137,789,653.71	3,993,216.79	141,782,870.50	996,545
1904.....	141,093,571.49	3,849,366.25	144,942,937.74	994,762
1905.....	141,142,861.33	3,721,832.82	144,864,694.15	998,441
1906.....	139,000,288.25	3,523,269.51	142,523,557.76	985,971
1907.....	138,155,412.46	3,369,110.44	141,524,522.90	967,371
1908.....	153,093,086.27	2,800,963.36	155,894,049.63	951,687
1909.....	161,973,703.77	2,852,583.73	164,826,287.50	946,194
1910.....	159,974,036.08	2,657,673.86	162,631,709.94	921,083
1911.....	157,325,100.35	2,517,127.06	159,842,227.41	892,098
1912.....	152,986,433.72	2,448,857.31	155,435,291.03	660,294
1913.....	174,171,660.80	2,543,246.59	176,714,907.39	820,200

AMOUNT PAID TO PENSIONERS, 1790 TO 1913.

For the purpose of showing the almost unmeasured latitude of liberality of the Government for those who served in the Army and Navy during its existence the following table is submitted:

War of the Revolution (estimated).....	\$70,000,000.00
War of 1812 (service pension).....	45,823,014.46
Indian wars (service pension).....	12,241,273.61
War with Mexico (service pension).....	47,632,572.34
Civil War.....	4,204,536,944.47
War with Spain and Philippine Insurrection.....	42,185,230.84
Regular Establishment.....	28,461,369.52
Unclassified.....	16,499,419.44

Total..... 4,557,539,824.63

CLAIMS PENDING.

For the purpose of showing that the Pension Bureau has before it other work than the mere payment of pensions, I desire to submit the following table, showing the number of claims pending before that bureau on the 1st of July, 1913:

Civil War.....	73,089
War with Spain.....	6,973
Mexican War.....	241
Indian wars.....	179
War of 1812.....	3
Old wars.....	9
Regular Establishment.....	3,087
Total.....	83,581

WISCONSIN CIVIL WAR SOLDIERS.

During the year ending June 30, 1913, there was paid to 19,176 soldiers, their widows and dependents, residing in the State of Wisconsin, \$4,199,038.08. In the amount of pensions paid to citizens by the Federal Government, Wisconsin ranks eleventh among the several States.

SPECIAL ACTS.

Since 1861 there has been allowed by special acts of Congress 42,337 pensions and increases of pensions, of which 22,016 are now on the roll, with an annual face value of \$6,699,096. Only a part of this is properly chargeable to special acts, as most of the beneficiaries had been previously pensioned under general laws at lower rates.

From June 30, 1912, and thereafter, during the Sixty-second Congress, 2,871 persons were included in the special acts passed at the rates specified in the summary following:

Pensions granted by special act during the Sixty-second Congress, subsequent to June 30, 1912.

Rates specified.	Number granted.	Rates specified.	Number granted.	Rates specified.	Number granted.
\$100.....	3	\$20.....	398	Inoperative:	
\$50.....	98	\$18.....	6	\$50.....	8
\$46.....	1	\$17.....	6	\$40.....	4
\$45.....	2	\$16.....	32	\$36.....	9
\$40.....	116	\$15.....	20	\$30.....	33
\$36.....	164	\$14.....	2	\$24.....	16
\$35.....	2	\$12.....	403	\$20.....	3
\$30.....	672	\$10.....	15	\$16.....	4
\$25.....	16	\$8.....	9	\$12.....	4
\$24.....	518	\$6.....	7	Total.....	2,871

Since 1899 the different Congresses have passed the following number of special pension acts during each Congress:

	Special acts.
Fifty-sixth Congress, 1899-1901.....	1,391
Fifty-seventh Congress, 1901-1903.....	2,171
Fifty-eighth Congress, 1903-1905.....	3,355
Fifty-ninth Congress, 1905-1907.....	6,030
Sixtieth Congress, 1907-1909.....	6,600
Sixty-first Congress, 1909-1911.....	9,640
Sixty-second Congress, 1911-1913.....	6,350

Total number of special acts passed by Congress in 14 years..... 35,546

It is impossible at this time to tell the exact number of special pension acts which will be passed during this session of Congress, but to me it appears that such acts are being passed, at least as liberally as during the Sixty-second Congress subsequent to June 30, 1912, when the Sherwood Pension Act was in force. The reason why the number of special pension acts passed by this Congress will not be as great as in the Fifty-ninth, Sixtieth, and Sixty-first Congresses is because of the liberal provisions of the Sherwood General Pension Act taking care of thousands of needy and destitute soldiers whom it otherwise would have been necessary to have taken care of by special pension acts. The ravages of age and disease, however, are naturally working with great havoc and rapidly among the old soldiers and sailors. Nearly all are now incapacitated from performing manual or other labor, and a large portion of them, like the rest of mankind, have been unsuccessful in laying aside provisions for a rainy day, and the number who are in needy and destitute circumstances is rapidly growing. It will therefore be absolutely necessary to continue until the last soldiers have answered the final bugle call the practice of passing special pension acts by Congress granting relief to those who may be in the most helpless, dependent, and destitute circumstances. Of course there are many persons in and out of Congress who complain of the increased liberality necessary in the future to be made in the case of pensions.

Some gentlemen, especially those from the South, claim that the pension system is costing too much. I do not know what the future demands upon the Nation's gratitude will be. I

shall not stop to count the cost. My only question will be, Do they need it; and if so, how much? If they do, and it stands to reason that they will, I am willing to give it to them, regardless of its cost. We will then show the nations of the world that this Republic, at least, is not ungrateful, nor forgetful of its defenders. To those who are worrying about the increased cost, let them remember that at every period of the expansion of our pension policy there has been worry and objections to every increase in pensions, and yet the country has been able at all times to meet its debt of gratitude, to fulfill its governmental obligations, and to prosper. Let them remember that every dollar that the Government spends for pensions makes the Government just so much stronger in the affections of its citizens. The money goes into every avenue of trade, and into every section of the country. It is true that larger amounts may go into certain sections of the country than others, but there are well-established historical reasons why the amount of pensions distributed in our Southern States is smaller than the amount thereof spent in the North, East, and West. In numerous cases the distribution of pensions under our present system saves the old soldier or sailor or his widow from State, county, or municipal charity. Nothing could be sadder than to see one of the Nation's heroes dependent upon public or private charity. Loyal and patriotic Americans of all political parties are determined that such shall not be the sad lot of any of the Nation's defenders.

Every loyal, patriotic, and grateful American approves of the liberal granting of pensions to our old soldiers and sailors, their widows and minor children and dependents. No government, whether a monarchy or republic, has ever treated its soldiers and sailors and their dependents as liberally as this Government has treated its soldiers and sailors, their widows, and their dependents. Those who fought and bled for the Nation in time of war, and their widows and dependents, are worthy of their country's gratitude, and with the advance of their years and inability to labor, the Nation's gratitude and affection should be increased and not diminished.

DEMOCRATIC FRIENDS OF SOLDIERS.

Some of our opponents, however, may be disposed to contend and assert that the solicitude and gratitude of the Democratic Party for the old Union soldiers has but recently been born, or may be prompted by other than reasons of gratitude to the Union soldiers.

Permit me to here insert a list of the various pension laws which were either approved by a Democratic President or passed by a Democratic House of Representatives. Legislative history proves what I now here credit to the Democratic Party:

First. Act of August 15, 1876, providing for the issuance of artificial limbs, or commutation therefor, to disabled soldiers and seamen, and providing transportation for the purpose of having the same properly fitted.

Second. Act of February 28, 1877, increasing the pension of those who lost both an arm and a leg.

Third. An act of March 9, 1878, granting pensions on account of service in the War of 1812 and the Revolutionary War, requiring a service of but 14 instead of 60 days on the part of the survivors of the War of 1812, and granting pensions to widows, regardless of the date of the marriage to the soldiers of this war. It also granted pensions to widows of soldiers of the Revolutionary War on a service of 14 days. Former laws required a marriage prior to the treaty of peace in the case of widows of the War of 1812.

Fourth. Act of June 17, 1878, increasing to \$72 per month the pensions of those who lost both hands, both feet, or the sight of both eyes incident to the service.

Fifth. Act of March 3, 1879, increasing to \$37.50 all pensions on account of amputation at the hip joint. This sum was afterwards increased to \$45 per month by a Democratic House.

Sixth. Acts of January 25 and March 3, 1879, granting arrears of pensions from the date of discharge, generous measures which benefited more than 225,000 pensioners at once and caused the annual pension rate to leap from \$33,708,526.19 to \$57,240,540.14. The Republican Party had control of both Houses of Congress for more than 10 years after the close of the war, but passed no legislation of this character.

Seventh. Act of June 21, 1879, abolishing biennial medical examinations and providing that in no case shall a pension be withdrawn or reduced except upon notice to the pensioner and a hearing upon sworn testimony.

Eighth. Act of June 16, 1880, giving \$72 per month to all those who became totally helpless for any cause incident to the service.

Ninth. Act of February 26, 1881, for the protection of pensioners in the soldiers' homes.

Tenth. Act of July 4, 1884, which established the proper relation which should exist between attorneys and clients and fixed by law the fees to be allowed in pension cases. By this act a Democratic Congress placed the strong arm of the law between the helpless applicant and the rapacious agent.

Eleventh. Act of July 14, 1892, establishing an intermediate rate of pensions between \$30 and \$72 per month, and fixing the rate of \$50 for all who required frequent and periodical though not regular and constant personal aid and attention.

Twelfth. Act of August 5, 1892, granting pensions to Army nurses and forbidding the demanding of a fee by claim agents for prosecuting this class of cases. This was a generous recognition of the noble heroines who, leaving home and loved ones behind, in self-sacrifice braved pestilence and hardship to minister to the sick in the hospitals of the Army.

Thirteenth. Act of December 21, 1893, making a pension a vested right.

Fourteenth. Act of April 18, 1884, making it a felony for any person to falsely or fraudulently represent himself to be an officer of the United States.

Fifteenth. Act of March 19, 1886, increasing from \$8 to \$12 per month the pensions of 79,989 widows and dependents on the roll at the time as well as tens of thousands who have since been placed thereon. These certificates were issued by a Democratic Commissioner of Pensions, without any expense or unnecessary delay to those deserving beneficiaries.

Sixteenth. Act of May 17, 1886, amending the reports of the War Department, which discriminated against a large and worthy class of soldiers, relieving thousands of unfortunate veterans of the hardships worked by the resting of the charges against them, based upon technical errors in the records.

Seventeenth. Act of August 4, 1886, increasing the pensions of 10,030 cripples—armless and legless veterans.

Eighteenth. Act of January 29, 1887, benefiting about 30,000 survivors and widows of the Mexican War.

Nineteenth. Act of June 7, 1888, granting arrears to widows from the date of the death of the husband and providing that all United States officials authorized to administer oaths should administer all oaths required to be made in pension cases in the execution of vouchers for pensions free of charge. This arrearage act benefited at once more than 200,000 soldiers' widows.

Twentieth. Act of August 27, 1888, increasing pensions on account of deafness.

Twenty-first. Act of February 12, 1889, granting an increase of pension from \$72 to \$100 per month to all persons who lost both hands in the service and line of duty.

Twenty-second. Act of March 1, 1889, relating to the payment of pensions to widows or dependent heirs where subsequent to the issue of the check the pensioner dies.

Twenty-third. Act of March 2, 1889, removing certain technical charges in the record and relieving a large and meritorious class of soldiers.

Twenty-fourth. Act of March 2, 1895, which abolished the rate of \$2 and \$4 and fixed the lowest rate of pension at \$6 per month.

Twenty-fifth. An act of May 11, 1912, granting a service pension to certain defined veterans of the Civil War, increasing the pension of more than 400,000 soldiers, and which is the best pension law ever enacted by Congress, thereby increasing the annual pension roll from \$153,686,500 to \$180,240,145.84.

SHERWOOD PENSION BILL.

On the first day of the special session of the Sixty-second Congress, being the 4th day of April, 1911, that gallant old soldier Democrat, Gen. ISAAC R. SHERWOOD, chairman of the House Committee on Invalid Pensions, introduced the first bill of the session, H. R. 1, providing a general increase of pensions to Civil War veterans based upon service. This bill, in modified form, subsequently became a law on the 11th of May, 1912, and now constitutes the new general pension law, based upon age and service. The Sherwood bill, as introduced and as passed by the House of Representatives in December, 1911, was a far more liberal and just bill than it was, after it had been amended by the Republican Senate.

The Sherwood bill, as it passed the House of Representatives, provided that any soldier or sailor who served in the military or naval service of the United States during the Civil War and received an honorable discharge and who was wounded in battle or in line of duty and is now unfit for manual labor, through causes not due to his own vicious habits, or who from disease or other causes incurred in line of duty, resulting in his disability, is now unable to perform manual labor shall be entitled to a pension of \$30 per month. If this bill had become a law as it passed the House of Representatives it would have been a far more liberal pension bill than the present general pension law, and would have given greater satisfaction to the ex-Union soldiers and sailors. Under its terms every such soldier or sailor, who had been wounded in battle or in line of duty or was disabled from diseases contracted in the service, would have been entitled to a maximum pension of \$30 per month, regardless of other causes, like old age, accidents, or other diseases contracted since his service, and now rendering the soldier or sailor unable to perform manual labor. In other words, his maximum pensionable disability would not have been based upon present disabilities arising from diseases of service origin only.

The Secretary of the Interior, at the time that the Sherwood bill was pending, estimated that at least 15,000 old soldiers and sailors would be benefited by this \$30 per month disability clause. The increase in disbursements under this clause was estimated not to exceed \$2,500,000 per year. It was truly stated that if the bill became a law with this maximum disability clause that it would necessitate an examination of every applicant for the maximum pension by an examining surgeon, or a board of examining surgeons, and that the increased cost due to such medical examinations would probably reach \$200,000 a year. This supposed increase in expenses of medical examinations would have been a mere trifle as compared with the great relief that would have been provided for and shared in by the old soldiers and sailors by the disbursement of \$2,500,000 more annually among 15,000 of their number.

In the Senate in 1912, during that same session of Congress, the Sherwood pension bill was amended by inserting in lieu of the language above cited the following:

That any person who served in the military or naval service of the United States during the Civil War and received an honorable discharge, and who was wounded in battle or in line of duty and is now unfit for manual labor by reason thereof, or who from disease or other causes incurred in line of duty resulting in his disability, is now unable to perform manual labor, shall be paid the maximum pension under this act, to wit, \$30 per month without regard to length of service or age.

It will thus be seen that the Senate amendment based the right of the soldier or sailor to \$30 per month pension upon his present inability to perform manual labor because of wounds, injuries, or diseases incurred in the war exclusively, and did not take into consideration, as did the original Sherwood bill, other causes besides those of service origin, which might aggravate and contribute to the present inability of an old soldier or sailor to perform manual labor.

Various attempts have been made in the Pension Bureau to have that bureau construe this clause in the present pension law, so as to give the old soldiers and sailors the benefit of the \$30 per month maximum pension as was intended by the original Sherwood bill. There are many arguments that can be advanced in favor of such a construction, but the bureau, consistent with its past record for years, has given the benefit of the doubt to the Government and against the old soldiers. This is a construction which is undoubtedly inconsistent with the purposes of establishing a pension system, but it has become so firmly established in the Pension Bureau that argument against it is no longer of any avail, and the only relief that can be secured from the burdens of this wrongful rule of construction is by the passage of remedial legislation by Congress.

When we remember that the Sulloway general pension bill, after having passed the Republican House in the Sixty-first Congress, was finally killed in the Republican Senate of that Congress; and when we find that the Sherwood bill, introduced by a Democratic soldier and passed by a Democratic House in the Sixty-second Congress, was amended by the Republican Senate in that Congress so as to make it less liberal by \$2,500,000 each year, and so as to make this maximum pension applicable to 15,000 less soldiers and sailors, we can readily see that our Republican legislators are not always safely and consistently the best or most reliable champions and friends of the old soldiers and sailors.

These facts, as well as others, conclusively prove that the old soldiers' friends are not to be found entirely in any one party. They prove that their friends are to be found in all parties, and that those only are his friends who entertain patriotic sentiments and are therefore grateful to the defenders of their country.

History shows that there were times when partisan political exigencies were such that the Republican Party did not consider the time ripe for the liberalizing of pensions, as well as the Democratic Party found itself in such positions. But the old soldiers have always been reasonable and consistent in their pension demands, and can be safely relied upon to continue so.

Let me say in absolutely good faith and as their friend that it is not always wise for an old soldier to carry all of his eggs in one basket, for he has, and will continue to have, loyal friends in both parties. No fair and liberal minded Member of Congress should ever look upon pension matters from a partisan standpoint. In these days when the selfish and powerful money interests of the country are making a determined attempt to howl and cry down the amount of annual pensions, and actually abuse the friends of the old soldiers who vote for these necessary appropriations, it is well that the friends of the old soldiers should not know any party when they come to provide for soldiers and sailors' pensions. Let them ascertain the extent of the need of the Nation's defenders, and then without hesitation vote the amount of those needs.

SPECIAL PENSIONS OF THE SIXTY-SECOND AND SIXTY-THIRD CONGRESSES.

As a member of the Committee on Invalid Pensions during the Sixty-second and Sixty-third Congresses, I have had an opportunity of becoming familiar with the workings of that committee and the rules and spirit upon which such pension claims are weighed and considered. It is with pleasure that I can truthfully say that during the Sixty-second and Sixty-third Congresses upon that committee there has been no exhibition of partisanship or sectionalism among the members in the consideration of claims. All claims coming before that committee are considered upon their actual merits. Entering into the merits are always the elements of age, service, need, and destitution of the soldier, his widow, or dependent. We sit and act as a court of equity in the true sense of the word. It is not necessary for a needy and destitute old soldier, or his widow, to

have the acquaintance of a Member of Congress, or to be recommended by some one of political or social prominence. The ear of every member of that committee is always open to the appeal of the weary, needy, and afflicted old soldier, or his widow. Acting as a court of equity, we are freer to act upon the merits of each claim than is the Bureau of Pensions. As in all courts of equity, technicalities which prevent the doing of justice are brushed away, and the course of justice allowed to flow freely. The work of that committee has been considerably reduced since the passage of the Sherwood general-pension law. We must, however, expect the work from now on to increase. This is due to the large number of old soldiers and sailors who will be reduced to needy and destitute circumstances by old age and inability to perform manual labor.

AUTOMATIC ADVANCES IN RATE OF PENSIONS.

Soon after the present general pension law, known as the Sherwood bill, went into operation, trouble was experienced in adjusting the rates to which each soldier and sailor claimant was entitled. It was easy for the Bureau of Pensions to ascertain from its records the exact length of each soldier and sailor's service in the Army or Navy. It was, however, a far more difficult matter to determine the exact age of each such soldier or sailor. In many instances it was found that the applicant for a pension under this law was uncertain as to his own age or date of birth. In many instances where this was the case, the soldier or sailor was also without available means for ascertaining the same. In many instances soldiers and sailors had, in previous applications and communications to the Pension Bureau, carelessly and inaccurately stated their age and the date of their birth under oath. Those previous affidavits and communications were made at a time when neither the department nor the soldier or sailors were interested in his birth or age. Consequently that question was then immaterial. But, as the amount of pension under the Sherwood pension bill depends upon age as well as service, it became necessary and important, both to the Government and the soldier or sailor, that his exact age should be determined in the allowance of his application for a pension under that law. In a large percentage of cases it was found that the soldier or sailor had made in the past conflicting statements as to the date of his birth and his age, and the bureau would compel him to resort to all kinds of evidence to prove the date of his birth.

In many such instances his application under that act was allowed without determining the exact date of his birth or his exact age. For instance, if he claimed to be 73 years of age, if the different affidavits made by him in the past all showed that he had represented himself as being of such an age that at the time of the application, according to previous affidavits, that he would be 71, 72, or 73 years of age, without determining his exact age, the bureau at that time would allow him the rate of pension provided for a soldier of his service who had reached the age of 70 years, because, according to all affidavits, he was then over 70 years of age, and entitled to the rate of pension provided for a given service and that age. Soldiers and sailors whose claims were allowed under such conditions will be required, before their next claim for increase on account of age will be allowed, to prove definitely and positively the date of their birth.

Since the discovery of this troublesome situation Congress passed, March 4, 1913, an amendment which, in substance, provides that when a soldier's or sailor's claim under this law has been passed upon and allowed, and his exact age once determined, there shall be kept a record in the Pension Bureau showing the name, length of service, and age of each claimant and date of his birth, the monthly rate of pension granted to or received by him, and the county and State of his residence, and that further increases in the rate of pension under that act on account of advancing age shall be made without further application by the pensioner and shall take effect and commence from the date he is shown by the aforesaid record to have attained the age provided by the act as a period for advancing said rate, the object of this being to advance the rate of pensions automatically, as provided in the Sherwood pension bill, without expense to the pensioner, and by requiring the Commissioner of Pensions and his office force to take judicial notice of the recorded evidence of the date of each pensioner's birth when once established. This law is working very satisfactorily, but there are still many instances in which it is necessary for the pensioner to supply satisfactory evidence of his age before he will be automatically allowed an advance in his pension rate. But once the age of a pensioner has been determined to the satisfaction of the bureau, it will not be necessary for the pensioner to again submit any such proof or to be delayed in the regular receipt of his pension.

MONTHLY PAYMENTS.

The question of providing for monthly payment of pensions, instead of quarterly payments, has received some attention at the hands of Congress during this session. A number of bills for that purpose have been introduced, some of which have been considered. It would appear at first that every pensioner would be in favor of this movement, yet such does not seem to be the case. The old soldiers themselves have manifested but little interest in the proposed change. There appears, however, to be a great division of sentiment among them in certain sections of the country. In other sections no interest, pro or con, has been manifested.

It appears that the executive council of the National Grand Army of the Republic, which council is the highest body next to the grand encampment itself, at the national encampment held at Chattanooga, after such proposed change had been discussed during the address of the commander in chief, unanimously decided against monthly pension payments.

The present Commissioner of Pensions professes that originally he was in favor of the monthly payment of pensions, but since considering the subject and investigating the sentiment among the old soldiers he finds that there is at present no sufficient demand to justify the change. He appears to be now somewhat against the movement, owing to the additional expense which it will involve and the seeming indifference of pensioners.

The additional expense is estimated by him at \$1,000,000 per annum. I can not, however, bring myself to believe that there is any substantial foundation whatsoever for any such high estimate of additional expense. I am reliably informed that the present expense of paying pensions by checks under the present system of paying quarterly, or four times a year, is only \$100,000. If that be true, then expense of monthly payments would be four times that, or \$400,000, a mere bagatelle to the Nation, providing that the change is desired. The subject seems to be new, and perhaps the idea of such a change has not as yet been fully discussed and considered among the old soldiers. They and their friends, however, can rely upon the assurance that whenever they manifest a majority, or strong desire for the change, that Congress will readily grant the same.

LOST CHECKS.

Among the various bills introduced at this session of Congress for the relief of the old soldiers is one for the issuing of duplicates of lost pension checks. The present law requires that when a pension check has been lost, or mislaid, or accidentally destroyed, that application may be made for a duplicate, which, upon the filing of a bond by the pensioner, will be issued at the end of six months. This is an unnecessary hardship upon the old soldier, who has been so unfortunate as to not receive his check or who has lost the same.

A bill providing that these duplicate checks in place of lost checks shall be issued 30 days after filing an application therefor has been favorably reported by the Committee on Invalid Pensions, and there is every reason to believe that it will pass Congress unanimously when it is reached upon the calendar.

SOLDIER SHOULD HAVE BENEFIT OF DOUBT.

The entire history and practice of the Pension Bureau shows that in nearly every instance all technicalities are resolved in favor of the Government and against the soldier or sailor. It further shows that in nearly every instance the Government has been given the benefit of the doubt, and as a result the soldier or sailor got the worst of it. This rule of construction and procedure may have been justified years ago when the pension law relating to Civil War soldiers and sailors was in its infancy. At this late date, however, when the soldiers' and sailors' comrades are scattered to the four winds and can not be found, when others are dead, when age has dimmed the memory of others, when the securing of evidence is most difficult, and when the soldier or sailor is most in need of a pension from the Government, it is time that this rule of construction and of solving technicalities should be changed, and the benefit of the doubt and the solving of technicalities should be in favor of the soldier, sailor, or his widow.

Again, the Pension Bureau seems to be working in some ruts of past ages in other respects. If that bureau would divert or turn from some of these old traveled ruts or routes, justice would be done the old soldier and sailor much quicker than it is done at present and more often. That bureau seems to have the audacity to even question acts of Congress, especially in the case of special pension acts. Even attempts are sometimes made to refuse payment of special pension acts where there is a misspelling of the soldier's, sailor's, or widow's name, which does not change the sound of the name or the identity of the person, and where there is not the slightest evidence to lead

them to believe that the pensioner is any other than the person mentioned in the bill. Even a pension granted to a soldier, sailor, or widow by the full middle name by a special act of Congress is ignored and dishonored, because the name of the soldier, sailor, or widow may have originally appeared on the records by the full given name and the initial of the middle name. This happened in cases where there was absolutely no question as to the identity of the soldier or sailor. In the interest of justice to the old soldiers and sailors such quibbles and technicalities should be dispensed with.

WIDOWS MARRIED SUBSEQUENT TO JUNE 27, 1890.

There are a few features of the present pension laws that are wrong, inequitable, and indefensible. Time will not permit me to discuss them in detail. In a short time, I expect, most of them will receive the careful attention of Congress. If once attention can be brought to them, I have no doubt but what justice will be done. The most unreasonable, arbitrary, and unjust provision in the pension laws at the present time is the one relating to granting pensions to widows who married subsequent to June 27, 1890. That act provides, among other things, a pension of \$12 per month for the widow of a soldier or sailor during her widowhood, provided that such widow shall have married her soldier or sailor husband prior to June 27, 1890. This act has been amended several times since, but this provision has never been amended or changed. There is now no law under which a widow who married since June 27, 1890, can secure a pension by law unless her soldier husband died of wounds or injuries inflicted during his war service or died from diseases contracted in such service. On the 27th of this coming June it will be 24 years since that harsh, unjustifiable, and arbitrary law was passed—nearly a quarter of a century.

It undoubtedly answered the purpose for which this arbitrary and inflexible date was fixed for a number of years after its passage. Under the strict letter of the law we may now have, on the one hand, a widow who married a soldier on the 24th of June, 1890, and on the other hand a widow who married another soldier on the 30th of June, 1890. One is entitled to a pension under the law at the bureau and the other is not. The husband of the widow marrying before the 27th of June, 1890, may have died a week after that date, and yet his widow is entitled to a pension under the law at the Pension Bureau. The husband of the other widow, who married him three days after the 27th of June, 1890, may die now, after she has lived with and cared for him as a faithful and devoted wife for 24 years, and yet under the law she is not entitled to a pension at the bureau.

This soldier's widow may have lived and struggled on with him during those 24 years in sorrow and in toil, in adversity and in poverty, from youth to old age, through storm and through sunshine, and it makes no difference for how many long, weary days and nights, through long years, she may have nursed him in his sickness and helplessness, nor that in sorrow and tears she spends her last dollar to plant flowers on his grave, yet she is turned down at the Pension Bureau because of the provisions of this harsh, unjust, and arbitrary law. The fragrance of her dutiful and beautiful life has been wasted on the desert air. Justice demands that so long as we are to continue the policy of pensioning the widows of soldiers and sailors that this class of widows who married since June 27, 1890, should be afforded immediate relief and justice. It is true that the Committee on Invalid Pensions frequently recommends special bills in the case of very needy and destitute widows who married within a short time after the passage of that law. But the granting of a special bill to one of this class, when they all ought to enjoy this privilege as a lawful right, is a rank discrimination and an injustice to those who married no later and who have not been able to reach the sympathies of some Congressman.

BILL FOR RELIEF.

Having had this deplorable pension situation in mind for some time, and having closely noticed the injustice of its effects, I have had the pleasure during this session of Congress of introducing H. R. 15841, a bill to change the arbitrary provisions of the law of June 27, 1890, and to substitute therefor a more just and automatically working provision for widows.

In my bill I have stricken out from the present law the words—

Provided, That said widow shall have married such soldier or sailor prior to June 27, 1890—

And have substituted in lieu thereof the following words:

Provided, That said widow shall have married said soldier or sailor at least six years prior to the death of her husband soldier or husband sailor, and regardless of whether the death of said soldier or sailor shall have occurred before or may occur after the passage of this act:

And provided further, That no widow of a soldier or sailor, who shall become such widow after the passage of this act, shall be entitled to a pension under the provisions of section 2 of this act, unless she shall have attained the age of 50 years at the time of the death of her soldier or sailor husband.

I believe that when the injustice of the present widows' pension law is brought forcibly to the attention of this House, that some provision for relief will command its sympathies, and the result will be the passage of remedial legislation similar to that contained in the bill which I have introduced. I am sure that if you will but consider it, that its virtues will commend themselves to every one of you. The second provision in my new bill provides a guard against the alleged improper and immoral practices and impositions which it is said are sometimes practiced on the old soldiers and sailors by unscrupulous women. It contains a provision which automatically provides a pension for a widow who shall have resided with her soldier or sailor husband at least six years before his death. Of course, the provision of cohabitation with the soldier and the age of the widow at the time of his death are arbitrary and subject to change before the passage of the bill as the same may commend themselves to the favorable consideration of Congress.

I respectfully invite the careful consideration of this bill by Members of Congress, and by the old soldiers and sailors, their wives, and the widows of those deceased. I not only invite your consideration, but also your assistance in creating a proper interest and demand in this House for its passage or the passage of some similar bill by this House at its next regular session. There can be, and there is, no justification for the arbitrary method which now prevents a widow who has lived 24 years with her soldier or sailor husband from lawfully obtaining a pension at the bureau. It is true that it will increase the pension roll by several millions; but if it is right, and I believe it is, to continue the policy of pensioning soldiers' and sailors' widows, then there can be no excuse, apology, or justification for the present arbitrary discrimination between widows who married since June 27, 1890, and those who married before.

Let us do by these widows of Union soldiers and sailors what we have done in this Congress, within the last six weeks, for the widows and minor children of officers and enlisted men who served in the War with Spain or in the Philippine Insurrection. That bill passed this House by a vote of three-quarters of those voting thereon in favor of it, and it contained a provision that a pensionable widow shall be one who has married an officer or enlisted man who served in one of those wars previous to the passage of that act. This is as it should be at present, but it is not as it should be in the future. It should contain a provision similar to that incorporated in the bill which I have introduced, providing that any widow who shall, after the passage of such act, marry an officer or enlisted man who served in such wars, shall be entitled to a pension of \$12 per month, providing she has been married to the soldier for six years or more before his death.

The hardships, cares, and sorrows endured by the widows who married since June 27, 1890, were and are naturally, on the average, greater and more severe by reason of the old age, helplessness, and inability of their soldier husbands, than were the hardships of those who married previous to that date. In conclusion, permit me to impress upon you that in the matter of widows' pensions, as well as in all legislation, there should be equal rights to all and special privileges to none.

[Mr. REILLY of Wisconsin addressed the committee. See Appendix.]

[Mr. AUSTIN addressed the committee. See Appendix.]

Mr. DAVIS. I now yield 10 minutes to the gentleman from Pennsylvania [Mr. AINEY].

Mr. AINEY. Mr. Chairman, I invite the attention of the membership of this House to some observations which I desire to submit on the "Pretensions of Great Britain to territorial rights in Central America" with respect to its bearing upon the Panama tolls controversy. I shall discuss it from a historical standpoint, having on another occasion given some attention to the interpretative features of the Clayton-Bulwer and Hay-Pauncefote treaties.

So much has been unwisely said, or inaccurately stated concerning the rights of the United States and Great Britain under the Clayton-Bulwer and Hay-Pauncefote treaties with respect to the Panama Canal, that a consideration of the underlying facts from which a proper conclusion may be based may well arrest public attention.

In his remarkable and able address before the United States Senate on January 21, 1913, Senator Root advanced his major premise for the British position on the tolls question, the in-

ducement or consideration for the Clayton-Bulwer treaty, as follows:

Further than that, Great Britain was a Caribbean power. She had Bermuda and the Bahamas; she had Jamaica and Trinidad; she had the Windward Islands and the Leeward Islands; she had British Guiana and British Honduras; she had, moreover, the Mosquito Coast—a vast stretch of territory upon the eastern shore of Central America which included the river San Juan and the valley and harbor of San Juan de Nicaragua or Greytown. All men's minds then were concentrated upon the Nicaragua Canal route as they were until after the treaty of 1901 was made.

And thus when the United States turned its attention toward joining those coasts by the canal through the Isthmus it found Great Britain in possession of the eastern end of the route which men generally believed would be the most available route for the canal. Accordingly, the United States sought a treaty with Great Britain by which Great Britain should renounce the advantage which she had and admit the United States to equal participation with her in the control and the protection of a canal across the Isthmus. From that came the Clayton-Bulwer treaty.

Senator Root further said:

Your will observe, Mr. President, that under these provision—of the Clayton-Bulwer treaty—the United States gave up nothing that it then had. Its obligations were entirely looking to the future, and Great Britain gave up its rights under the protectorate over the Mosquito Coast, gave up its rights to what was supposed to be the eastern terminus of the canal. And, let me say without recurring to it again, under this treaty, after much discussion which ensued as to the meaning of its terms, Great Britain did surrender her rights to the Mosquito Coast.

Surely these are strong statements, which, if supported by exact history, would give Great Britain an equitable standing in the Panama controversy of much importance. Senator Root's assertions will not in all respects bear the scrutiny of historical or diplomatic research, and are the more remarkable when considered in the light of the fact that the United States never acquiesced in, but always protested against the flimsy title which Great Britain set up to a protectorate of the Mosquito Coast or sovereignty over any portion of Central America. Coincident with a renewal of interest throughout the United States in an interoceanic canal caused by the opening of the far West, Great Britain revived her long-abandoned claim over the Mosquito Coast. She broadened the confines of the Mosquito territory beyond the description of any map or records then extant, so as to include the ancient town of San Juan de Nicaragua, the eastern terminus of the then proposed Nicaraguan transoceanic canal. On January 1, 1848, a British force expelled the State of Nicaragua, hauled down the Nicaraguan flag, and raised the Mosquito flag in its place, changing the name of the town from San Juan de Nicaragua to Greytown.

The British establishment at Belize, the seizure of the island of Ruatan, belonging to Honduras, the encroachment of the English settlements, the seizure of the Tiger Island, on the Pacific side, were all in violation of Great Britain's treaties with Spain and in opposition to the then well-defined terms of the Monroe doctrine. It led the Government of the United States to make vigorous protests, for said Mr. Buchanan, while minister to London:

These proceedings gave birth to serious apprehension throughout the United States that Great Britain intended to monopolize for herself the control over the different routes between the Atlantic and Pacific, which, since the acquisition of California, had become of vital importance to the United States. Under this impression it was impossible that the American Government could any longer remain silent and acquiescing spectators of what was passing in Central America.

In 1848 Mr. Buchanan, then Secretary of State, gave instructions to Mr. Hise:

Under the assumed title of protector of the kingdom of the Mosquitoes, a miserable and degraded and insignificant tribe of Indians, she doubtless intends to acquire an absolute dominion over this vast extent of seacoast. With what little reason she advances this pretension appears from the convention between Great Britain and Spain signed at London on the 14th of July, 1786.

Whatever may have been the basis of Great Britain's claim in connection with the Mosquito Coast or of other portions of Central America, it is unnecessary to go back of 1783. After a long period of strife, the terms of settlement with Spain were incorporated in the treaty of 1783 and the treaty of 1786, under which Great Britain abandoned to Spain all claim of sovereignty over this territory.

Mr. POST. Mr. Chairman, will the gentleman yield?

Mr. AINEY. Yes.

Mr. POST. I wish to suggest to the gentleman that Senator Root's contention was right to this extent, that at the time of the ratification of the Clayton-Bulwer treaty Great Britain had rights which she claimed in the Mosquito Coast, and in order to get rid of those rights it was necessary to enter into an agreement with Great Britain.

Mr. AINEY. Ah, the gentleman has failed to read with discrimination the diplomatic correspondence between this country and Great Britain. That treaty was entered into for the purpose of getting rid of Great Britain's flimsy pretension to such

rights, but not in recognition of them. For many years prior to the Clayton-Bulwer treaty this country voiced protest after protest against Great Britain's violations of the Monroe doctrine and violation of her treaties made with the Government of Spain, under which she had abrogated all claims to territorial rights in Central America.

Mr. KINKAID of Nebraska. Will the gentleman yield?

Mr. AINEY. Yes.

Mr. KINKAID of Nebraska. Can the gentleman from Pennsylvania specify any considerations with which Great Britain parted for the making of the Hay-Pauncefote treaty? When the Clayton-Bulwer treaty was done away with, were not the two countries placed in statu quo, precisely as if there had never been any treaty before? And then, with what consideration did Great Britain part for the terms of the Hay-Pauncefote treaty?

Mr. AINEY. I think that as I progress I shall fully answer the gentleman. I maintain in this statement that Great Britain had no rights in Central America or in the Mosquito Coast. Because she had no rights, there was no basis for the argument which the distinguished Senator advanced with respect to the Clayton-Bulwer treaty.

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. AINEY. Yes.

Mr. HUMPHREY of Washington. I should like to make this suggestion to the gentleman, that under the treaty that we had with Colombia in 1846, giving us the right to construct a canal across the Isthmus at Panama, how could Great Britain have lost anything by our carrying out that agreement, when we had a treaty with Colombia prior to the time that we executed the Hay-Pauncefote treaty, which did not apply at all to Panama?

Mr. AINEY. I think the gentleman's suggestion is a very excellent one, but I trust that I shall not be led aside from the purpose of my remarks, which I propose to confine to the history of the claims of Great Britain to territorial rights in Central America and to the Mosquito Coast, and to show that Great Britain had by treaties and acts of Parliament long prior to the Clayton-Bulwer treaty abrogated all such claims.

Let me again call your attention to the fact that in 1783 Great Britain entered into a treaty with Spain, under article 4, of which she stipulated that with the exception of the territory between the river Belize and the Rio Hondo, within which permission was granted to British subjects to cut logwood—

All English who may be dispersed in any part of the Spanish continent ("continente Español") or in any of the islands whatsoever dependent on the aforesaid Spanish Government, and for whatsoever reason it might be, without exception, shall retire within the district above described in the space of 18 months from the exchange of the ratifications.

The treaty further provided that the permission to cut logwood "shall not be considered as derogating in any wise from his [Spanish Majesty's] right of sovereignty" over this logwood district, and it stipulated moreover that—

if any fortification should have been actually heretofore erected within the limits marked out, his Britannic Majesty shall cause them all to be demolished, and he will order his subjects not to build any new ones.

Notwithstanding the very plain terms of this treaty Great Britain questioned whether the Mosquito Coast was included. This led to the treaty of 1786, where even that quibble was settled. It provided:

His Britannic Majesty's subjects and the other colonists who have heretofore enjoyed the protection of England shall evacuate the country of the Mosquito as well as the continent in general and the islands adjacent, without exception, situate beyond the new limits prescribed by the convention within which British subjects were to be permitted to cut not only logwood but mahogany and all other wood—

and the Belize or logwood district was therein— indisputably acknowledged to belong of right to the Crown of Spain.

With this treaty there passed every semblance of legitimacy to Great Britain's claim to sovereignty on the Mosquito Coast or in Central America. A bare limited logging right without sovereignty was reserved to some of her citizens in Belize.

How did Great Britain again acquire her right to the Mosquito Coast and to British Honduras (Belize), which Senator Root says she surrendered under the Clayton-Bulwer treaty in order that the United States might be admitted to equal participation with her (England) in the control and protection of the canal across the Isthmus?

By the treaty of Amiens (1801) Great Britain acquired the Island of Trinidad, South America, from Spain, but nothing more; nor did she acquire any Central American rights under the treaties of 1809 and 1814.

By act of Parliament (57 and 59 Geo. III) it was acknowledged that the British settlement at Belize was "not within the territory and dominion of His Majesty," but was merely

"a settlement for certain purposes in the possession and under the protection of His Majesty."

Mr. Marcy, Secretary of State, in his letter to Mr. Dallas July 26, 1856, summarizes the whole matter:

Great Britain had not at the time of the convention of April 19, 1850 (the Clayton-Bulwer treaty), any rightful possessions in Central America save only the usufructuary settlement at the Belize.

Two objects were sought to be accomplished by the Clayton-Bulwer treaty, 1850; one, the abandonment by Great Britain of her never admitted claim of right to the Mosquito and other Central American territory, and the other, the certainty of a speedily built canal to connect the Atlantic and Pacific.

In 1848 California was acquired, but the Pacific coast was almost unknown and uncharted. The population of the United States was 23,000,000; our transcontinental railroads were yet unrealized; the demand was urgent for an Isthmian Canal. The United States could not then unaided undertake the construction of such an engineering project. England could provide the means; the Clayton-Bulwer treaty was entered into, with many assurances that British capital would be immediately offered.

England's unwarranted claim to the port and territory which controlled the Atlantic entrance to the proposed Nicaraguan route had been followed by her seizure of Tiger Island on the Pacific side. Thus Great Britain had attempted to bottle either end of the proposed canal. Under the Clayton-Bulwer treaty, if plain language conveys meaning, her absurd contention to territorial rights on the Mosquito Coast was again abandoned.

Article 1 of the Clayton-Bulwer treaty was intended to sustain the American contention against the British territorial assumption in the Mosquito or other Central American country. The material portion, here italicized for emphasis, reads as follows:

The Governments of the United States and Great Britain hereby declare that neither the one nor the other will occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any State or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, or of assuming or exercising dominion over the same.

Senator Roor says of this treaty, "after much discussion which ensued as to the meaning of its terms, Great Britain did surrender her rights to the Mosquito Coast."

Great Britain recognized that she had no rights in Central America or in Belize by an act of Parliament during the reign of George III, wherein it was acknowledged that the British settlement at Belize was "not within the territory and dominion of His Majesty," but was merely "a settlement for certain purposes in the possession and under the protection of His Majesty."

So the Clayton-Bulwer treaty was entered into, the purpose of it being, as set forth in the diplomatic correspondence, to settle favorably to our contention the claim which Great Britain had without the slightest foundation set up in violation of her solemn treaties and undertakings. This was the primary object of the treaty, and to build the canal across the Isthmus or across Central America was secondary.

Mr. Chairman, this is briefly the diplomatic history leading up to the Clayton-Bulwer treaty. Under it Great Britain, as she had ignored her treaties with Spain in 1783 and 1786, continued to exercise control in Central America and the Mosquito Coast. Finding from time to time technical grounds to avoid her obligations she never actually abandoned her possession until after the Hay-Pauncefote treaty, notwithstanding she had stipulated so to do. Under a claim of a protectorate over the Mosquito Coast, differentiating between the language "sovereignty" and "protectorate," she kept her hands on the territory which under several treaties and under an act of Parliament she had specifically admitted was not hers.

Senator Roor says of this treaty:

After much discussion, which ensued as to the meaning of its terms, Great Britain did surrender her rights to the Mosquito Coast.

It is difficult for the ordinary mind to conjure up a dispute as to the meaning of the treaty words under which the United States and Great Britain agreed "not to colonize or assume or exercise any jurisdiction over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America."

Notwithstanding this explicit language, the ingenuity of British diplomacy did conjure up an excuse for a continuance and enlargement of her Central American territorial contentions.

She attempted to differentiate between sovereignty and protectorship in the Mosquito territory, and she broadened her logging camp in Belize, which by treaty stipulation was limited in extent, and specifically without sovereignty, into a colony

which territorially covered an area as large as three of the smaller States of the Union.

By diplomatic representations and protests the American Government confronted Great Britain with the proposition that there could be no protectorate where there was not an underlying sovereignty; that an ignorant band of Indians, whatever their possessive rights to the land might be, could not exercise any rights of sovereignty over the same, and that the express terms of the Clayton-Bulwer treaty were being violated by her.

The ludicrous character of this so-called sovereignty is disclosed in an article reprinted in Churchill's Voyage; it shows that the regal dignity was acquired by the "king" of the Mosquitos by the gift of a crown and commission; the crown was an old cocked hat and the commission a waggish document that he should kindly use and release such straggling Englishmen as should choose to come that way with plantain, fish, and so forth.

Upon this foundation Lord Palmerston answered the American protest against the violation of the Monroe doctrine by informing Mr. Lawrence, American minister at London in 1848, that—

a close political connection had existed between the Crown of Great Britain and the State and Territory of Mosquito for a period of two centuries.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DAVIS. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. AINEY. Certainly.

Mr. SLOAN. Mr. Chairman, I will ask the gentleman whether he has examined the message of the President of the United States with especial reference to the arguments that are now being submitted in the other legislative branch of this Government with a purpose of discovering whether there has not been an entire shift of reasoning for the removal of the exemption of tolls. On that point I desire to call his attention to a statement in the President's address which is as follows, referring to that exemption:

And is, moreover, in plain contravention of the treaty with Great Britain concerning the canal concluded on November 18, 1901.

On May 5, in the other branch of this Congress, I find in the RECORD, on page 8389, the words of the chairman of the Committee on Foreign Relations of the Senate, Senator STONE, who is presumed from his position to be better acquainted with all matters of foreign relations than any other Member of either branch of Congress, in which he says:

I was fully convinced in my own mind that the United States had a right under the very terms of the treaty itself, and without violating either the letter or the spirit of that convention, to allow our coastwise vessels to pass through the canal free of tolls.

Has the gentleman compared those two statements for the purpose of reconciling them?

Mr. AINEY. Mr. Chairman, I will say to the gentleman—if that is intended as an inquiry to me—that I have not; I long since discovered that I had not sufficient agility of mind or body to follow the quick changes which overnight occur in the administration's position. Some time ago I read the platform of the Democratic Party with a good deal of interest. It is not now recognizable as such. I have attempted once or twice to reconcile it with the statements of the gentlemen elected on that platform made on the floor of the House, but I grew tired; and so if the gentleman himself has any explanation I hope he will make it in his own time. As far as I am concerned, I would as soon attempt to "untangle the intangible."

Mr. SLOAN. Mr. Chairman, I would like to call the gentleman's attention to two other statements.

Mr. AINEY. Very well.

Mr. SLOAN. Mr. Chairman, I call the gentleman's attention further, apropos to the discussion of this treaty, to the statement of the President:

Whatever may be our own differences of opinion concerning this much-debated matter, its meaning is not debated outside the United States. Everywhere else the language of the treaty is given but one interpretation, and that interpretation precludes the exemption I am asking you to repeal.

With the gentleman's permission I will call his attention to a further statement by the chairman of the Foreign Relations Committee in the other body of the National Congress, in which he says:

True it is that in the course of the present debate some Senators and Representatives have declared that the exemption provision of the law of 1912 should be repealed because in their opinion it is in conflict with the Hay-Pauncefote treaty and that its enactment did in some sense involve the good faith and honor of this Nation. But that is being said here in Congress and in American and foreign newspapers, and not by foreign Governments. As to that contention, by whomsoever made, I absolutely dissent, for I still believe that the act of 1912

asserted no right to which we are not lawfully entitled within the very terms of the treaty. No foreign Government is now asking us to repeal this law; no foreign Government has filed or presented any protest since its enactment.

Mr. AINEY. Mr. Chairman, it rather strikes me that there is no parallel, except in the fact that Great Britain has made no less than eight treaties affecting her Central American claims, and in each instance attempted to interpret them against their plain language.

Mr. Marcy, Secretary of State in 1853, thus characterizes Great Britain's violation of the Clayton-Bulwer treaty:

The protectorate which Great Britain has assumed over the Mosquito Indians is a most palpable infringement of her treaties with Spain, and the authority which she is there exercising under pretense of this protectorate is in derogation of the sovereign rights of several of the Central American States, and contrary to the manifest spirit and intention of the treaty of April 19, 1850, with the United States.

Though ostensibly the direct object of the Clayton-Bulwer treaty was to guarantee the free and common use of the contemplated ship canal across the Isthmus, there were other and highly important objects sought to be accomplished by the convention. The stipulation regarded most of all by the United States is that for discontinuing the use of her assumed protectorate of the Mosquito Indians. It was the intention, as it is obviously the import of the treaty of April 19, 1850, to place Great Britain under an obligation to cease her interposition in the affairs of Central America and to confine herself to her limited rights in the Belize. She has by this treaty of 1850 obligated herself not to occupy or colonize any part of Central America or to exercise any dominion therein. Notwithstanding these stipulations, she still asserts the right to hold possession of and to exercise control over large districts of that country and important islands in the bay of Honduras, the unquestionable appendages of the Central American States. This jurisdiction is not less mischievous in its effects nor less objectionable to us, because it is covertly exercised, partly at least, in the name of a miserable tribe of Indians, who have in reality no political organizations, no actual government, not even the semblance of one, except that which is created by British authority and upheld by British power.

In his third annual message to Congress, in 1855, President Pierce voiced a resolute and robust protest against Great Britain's persistent violation of the treaty.

President Buchanan in his fourth annual message to Congress announced that "Her Britannic Majesty concluded a treaty with Honduras on the 28th of November, 1859, and with Nicaragua on the 28th day of August, 1860, relinquishing the Mosquito protectorate." Great Britain recognized by that treaty as belonging "to and under the sovereignty of Nicaragua the country hitherto occupied by the Mosquito Indians within the frontiers of the Republic; that a certain designated district should be assigned to these Indians, but that it should remain under the sovereignty of Nicaragua and should not be ceded by the Indians to any foreign Province or State, and that the British protectorate should cease three months after the exchange of ratification." Great Britain executed a treaty with Guatemala defining the boundaries of Belize in 1859.

The expressions of satisfaction by President Buchanan at this solution of the controversy were premature. They were based upon the assumption that Great Britain had ceased to exercise any influence whatever over the Mosquito Coast. These treaties had as little effect upon British pretensions as did the treaties with Spain and with the United States. Nicaragua protested against the violation, and finally, in 1880, agreed with Great Britain to submit the questions at issue, including "the degree of influence Great Britain was entitled to exercise over the Mosquito Coast," to the arbitration of the Emperor of Austria. His decision sustained Nicaragua's claim of sovereignty, but, strange to say, imposed limitation on its exercise whereby British influence remained.

The treaties with Nicaragua, Honduras, and Guatemala were made because of the feeling engendered in the United States at the persistent violation of the Clayton-Bulwer treaty, which had been entered into on the part of the American Government in the hope that it settled forever the pretension of Great Britain to territorial rights in Central America.

The Clayton-Bulwer treaty proved a keen disappointment to the American people. It was a source of annoying and ineffective diplomatic correspondence.

In spite of its terms the British Government continued to claim a protectorate over the Mosquito Coast and did not cease to occupy Bay Islands and the Belize.

With the completion of the Suez Canal, which gave England a short route to India, her interest in the opening of the Isthmian Canal waned. It was apparent that Great Britain did not intend to give financial support to the project as contemplated.

A half century had elapsed since the convention was signed, marked by marvelous development on this side of the Atlantic. What was impossible in 1850 was comparatively easy in 1900. The population of the United States increased to 76,000,000; the material resources had advanced accordingly. Public sentiment crystallized around the statement, "An American canal on American soil under American control."

The negotiations which led to the abrogation of the Clayton-Bulwer treaty and the execution of the Hay-Pauncefote treaty in 1901 are interesting. It was clearly shown to Great Britain that the American Government had every reason to consider the older treaty abrogated, both because of violation of its terms and by changed conditions. It stood in the way of the construction of the canal.

After years of negotiations it was "superseded" by the Hay-Pauncefote treaty of 1901, but under it the ever-recurrent "right of Great Britain in Central American affairs" out of merest shadow again appears. [Applause.]

By unanimous consent, leave was granted to Mr. BUCHANAN of Illinois and to Mr. THACHER to extend their remarks in the RECORD.

Mr. BARTLETT. Mr. Chairman, I yield eight minutes to the gentleman from Illinois [Mr. GORMAN].

Mr. GORMAN. Mr. Chairman and gentlemen of the committee, I want to take such time as the chairman of the committee could spare me to bring to the attention of the House my reasons for introducing the bill which I filed this afternoon, and I had hoped that there would be a large number of the Members present to hear my suggestions, but in the absence of many of the Members I am going to submit my suggestions for the benefit of the few who are present and this great assembly of vacant seats, hoping that those who read the RECORD may understand some of the reasons that prompt me to act in the matter.

During the consideration of a bill before the Committee of the District of Columbia a few days ago, the bill which was introduced by the gentleman from Virginia [Mr. CARLIN] providing for an increase in the wages of certain employees of the Government of the United States in the District of Columbia.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. GORMAN. Yes, sir.

Mr. SLOAN. Referring to the gentleman's suggestion of the large number of absentees, I trust he will allow it to go into the RECORD that the minority is furnishing about three times as many Members to listen to what the gentleman has to say as the majority.

Mr. GORMAN. I am glad the gentleman refers to that fact, because—

Mr. BARTLETT. There are only 10 Members on that side of the House.

Mr. GORMAN (continuing). Because the majority are doing the courteous thing to-day in meeting that great army of noble women who are here to present their petition to the Congress of the United States [applause], asking that they may have what I believe every citizen of the United States ought to have, without regard to distinction of sex, the right of suffrage. [Applause.]

Mr. SLOAN. Will the gentleman yield again?

Mr. GORMAN. And in further answer, I might say to the gentleman I desired to submit some suggestions in reference to my bill, or I, too, would be among that great number who are greeting the women who come here from all parts of the country to present their petition.

Mr. SLOAN. What excuse is the gentleman going to give for keeping us here with his eloquence and preventing us seeing the ladies' parade?

Mr. GORMAN. The gentleman is not being detained by my eloquence from meeting the ladies; probably because ladies do not vote in his State, therefore he is not concerned about them. But, Mr. Chairman, when interrupted I was about to direct the attention of the committee to this fact: There are a great many men employed here in Washington in the service of the Government of the United States and also in the District government, and they have been so employed, many of them at least, about 30 years, at the insignificant salary of \$50 a month, and the bill which I presented is designed to give the men so employed an increase of salary; not certain, particular men, but all men employed by the Federal Government and by the District of Columbia who are classed as skilled or unskilled laborers. I am prompted to introduce this bill because of certain incidents which occurred in the committee room of the District of Columbia. When the bill H. R. 7389 was before the subcommittee of the District Committee a man who represented himself as a lawyer stated he was interested in lobbying for that bill and that he had charged the men whose wages the bill is designed to increase a certain fixed fee, and expected to charge them a contingent fee of 20 per cent of the increase which they would receive if the bill became a law during the first year after the increase was granted. A few months ago a hearing before the Committee of the District of Columbia developed this state of facts: A number of men employed by the

District of Columbia receiving \$55 a month, I believe it was, had their wages increased by an act passed in the Sixty-second Congress, and a man representing himself as a lawyer or lobbyist had charged these men the enormous sum of \$4,000 for alleged services in getting the bill through the House and Senate.

A number of years ago, about 18 years ago, I think it was, I was employed in the Government Printing Office. A number of men in that office at that time were seeking an increase in wages, and rumor had it that these men had raised a fund of \$5,000 to get this increase through Congress, and it was my impression then, based upon my inexperience and lack of knowledge and the rumors then in circulation, that the money had to be paid to some Members of Congress. My recollection of this rumor of 18 years ago was revived when the statement was made before the District Committee by one of the men whose wages had been increased by the action of the Sixty-second Congress, while testifying before the District of Columbia Committee, that representations had been made to the men whose wages were increased that the man who was collecting the money did not keep it all for himself, but that he had to distribute it in entertainment of Members of Congress. It is conduct of this kind, I maintain, on the part of lobbyists—which is only a polite name for grafter—that tends to bring the House of Representatives into disrepute, and this House owes it to itself to take action on matters of that character which will forever stop that kind of misrepresentation on the part of lobbyists. I would have the employees of the Federal and District Governments know that the services of a lobbyist in securing an increase of wages through congressional action is not only unnecessary, but that money paid to lobbyists in that regard is wasted, and I shall oppose and do all I can, while I am a Member of this House, to defeat any legislation providing for an increase in pay to Government employees which is inspired by the activity of paid lobbyists or in which any lobbyist claims a fee contingent upon favorable action of Congress. So far as the employees to whom I have referred are concerned, the Government of the United States ought to pay these men, as a matter of right, better wages than it is paying.

When there is an appropriation bill before this House for battleships or for the erection of public buildings or anything else that the Government has to do with we invariably hear it said that the thing to be built or the thing to be done ought to be built or done in such a way as to be in keeping with the character and dignity of the Republic, and the Government of the United States ought to give to the men who work for it wages that will be in keeping with the character of the work they do, and enable them to live decently and maintain their families in respect, and no man can do this, in my judgment, under present living conditions, on a wage of \$50 a month. I know it is quite fashionable when proposals are made to increase the salaries of Government employees to cry out against it in the interests of economy and in defense of the overburdened taxpayer, but I do not believe there is a taxpayer in the land among all our hundred millions of people who would object to the Government of the United States paying its laborers \$65 a month. I rather think it will be a shock to many good people to know that the United States pays its laborers and some of its mechanics as low a wage as \$50 a month. The fact remains, however, and it was stated under oath before the District of Columbia Committee, that there are engineers, firemen, painters, and other mechanics and laborers employed by the Government of the United States in the District of Columbia at \$50 a month. The Government employees here in the District of Columbia ought to be paid better wages than men are paid in private employment. When they come here to take up a permanent residence they sacrifice the greatest right of citizenship, the right of suffrage.

When we consider the great sacrifice that men and women have made to secure the right of suffrage and the agitation now going on for its extension the sacrifice of that right for the privilege of holding a Government job in Washington can not be regarded lightly. As I view it, such a sacrifice can not be compensated for in money. Of course one living in Washington may retain a legal residence for the purpose of voting in his State, but if he happens to be a civil-service employee his rights are restricted because political activity may be frowned upon as "pernicious" by those higher in authority than the one whose activity is frowned upon. Then, too, there is so much red tape about Government work, such strict adherence to ancient rules, so much bowing down to convention; so much deference paid to "rank" and "tenure" that initiative and ambition are soon stifled in the atmosphere of official life and Government service in Washington. While employed in the Government Printing Office a number of years ago I met many young men in that and other departments of the Government; men of good education,

bright, active, hopeful, full of energy and ambition. They had not been here long then and few of them expected to remain permanently. Some of them have passed away to the great beyond, but many more are here to-day in the same position they held then, working for the same salary and under the same conditions. I am sure that many of them if they had exerted the energy they possessed in the service of some private concern or had gone into business for themselves and worked in their own interests as faithfully and devotedly as they have done for Uncle Sam they would to-day be occupying positions of trust and responsibility in the industrial, commercial, or professional life of their community. There is a beauty and charm about Washington that seems to exercise a subtle influence upon nearly all who come and remain here. They soon become inoculated with a virus that is absolutely fatal to initiative and ambition.

If I were asked by a young man or woman in my community my views as to whether or not they should accept Government employment here in Washington, my advice would be to stay upon the farm and enjoy the real liberty that goes with that life. [Applause.] Or if you must leave the farm, if you must respond to the call of the city, go into industrial or commercial pursuits, where you will know the thrill of ambition. Do not come to Washington. Washington, in my judgment, is the cemetery, the sepulcher, for initiative and ambition. When men say that Government employees here in Washington are overpaid, I say they are not, in view of the sacrifices they make. For myself, I would rather be out in the world of action, where things are being done, taking part in the doing of them, contributing my little share in a humble way, even at a small wage, and be a part of the great world of action, where men grow by contact with their fellows, than be here in the Government service, where men, sooner or later, become inoculated with a virus that destroys their ambition and renders them as absolutely helpless and inefficient after a few years for the great struggle of active life as the hookworm renders inefficient and helpless its victims in the South. Many a young man and woman has come to Washington to get the experience of Government service in the hope that it would help them realize some higher ambition, and in a few years the only hope they entertain is that they may be permitted to retain the position they hold. With them ambition has become stifled. The Government service may have acquired another human machine to carry out its routine, but the country has lost a mind and brain and hand that will never again know the throb of ambition, the restless disposition to try, to do, and to achieve. But this discussion has gone beyond the limits of my bill. The men whom I am interested in helping are the men who now work for small wages for the great big Government of the United States and for the District of Columbia, men who have no organization and who therefore can not act in concert, men who must present their plea for an increase in wages individually, and who, in their helplessness, turn hopefully to the charlatan, who takes their money and assures them he will accomplish that which no one but the Congress of the United States can do; and to make his promise impressive he indulges in the slander that his fee will be spent, in part at least, in winning the favorable consideration of Congress by lavish entertainment. The men who will be benefited by favorable action on my bill are the "underdogs" of the Government service, the men who render a real service for a ridiculously low wage.

The CHAIRMAN. The gentleman's time has expired.

Mr. DAVIS. Mr. Chairman, in the absence of the gentleman from Illinois [Mr. HINEBAUGH], who has, I think, 10 or 12 minutes—

The CHAIRMAN. The debate will close at 4 o'clock and 35 minutes.

Mr. DAVIS. I will yield of Mr. HINEBAUGH's time two minutes to the gentleman from Washington [Mr. BRYAN].

Mr. BRYAN. Mr. Chairman, now, while the women of the country are assembled here on the Capitol steps to present their demand for equal suffrage, I shall read as a part of my remarks the following declaration, proclaimed by the women of this Nation:

DECLARATION OF INDEPENDENCE—1914.

"When in the course of human events it becomes necessary for one half of the people to dissolve the political bondage which has held them subject to the other half of the people, and to assume the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to freedom.

"We hold these truths to be self-evident, that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life,

liberty, and the pursuit of happiness; that to secure these rights governments should be instituted among both men and women, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people—women people as well as men people—to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect the safety and happiness of all the people. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes, and, accordingly, all experience has shown that womankind are more disposed to suffer while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to keep them under absolute subjection, although they are spiritually and mentally ready for freedom, it is their right, it is their duty to throw off such subjection and to provide new guards for their future security and the security of their children.

"Such has been the patient endurance of the women of this country; and such is now the necessity which constrains them to demand an alteration in the system of government. The history of our Government is a history of repeated injustice to women as wives, mothers, and wage earners, and of repeated usurpation by men, many of them with the avowed object of protecting women. But the direct result has been the establishment of a Government which benefits by the knowledge and experience of only one-half of the people, and which can not fully represent the interests and the needs of the other half of the people.

"In every stage of these oppressions we have petitioned for redress in the most humble terms, beginning even before the Constitution of the United States was adopted. Our repeated petitions have frequently been answered by ridicule and by repeated injustice. We have appealed to the native fairness and magnanimity of men that they disavow these usurpations which inevitably render less dignified, honest, and harmonious the relations between men and women. Men have too long been deaf to this voice of justice and honor, but many are now joining with us in our refusal to acquiesce longer in this unwarrantable sovereignty over us and over our children.

"We, therefore, the women citizens of the United States of America, assembled to-day throughout the Nation, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name and by the authority of the organized womanhood of America demanding enfranchisement, solemnly publish and declare that women ought to be politically free.

"Here and now, in this glorious springtime of the year, under the azure skies of hope, in the sunshine of life and enlightenment, we dedicate ourselves to the great work we have undertaken, and go forward to victory remembering that in unity there is strength, and that not even the prejudices of the ages nor the powers of entrenched political privilege can keep in continual disfranchisement half of the citizens of our country when their rights are demanded by the intelligent, patriotic, and united womanhood of the land.

"Women of America, this is our country; we have the same devotions to its institutions as that half of the citizenship that is permitted to govern it. We love the flag, and it means as much to us as it does to the men of our Nation. Women have made, and women will make, as many sacrifices for the honor and glory of these United States as those of her citizens who have all the rights and privilege of the suffrage. Given our full citizenship and allowed to share in the Government, we will be as jealous of the honor and integrity of our country as we have been in the past, when in countless ways we have shown our devotion to the life of the Nation, to the liberty of its citizens, and to the happiness of all the people."

Mr. Chairman, this declaration of the women of the United States is worthy of inscription in our permanent records, and I am glad that it is to be so inscribed. I am thankful, Mr. Chairman, beyond any power I possess to express it, that this declaration does not even suggest the use of force or violence in this land dedicated to equality and equal opportunity. Tomorrow is Mothers' Day and the flag of this Republic will proudly wave from the dome of our Capitol in testimony of the fact that we owe the greatest debt of all to womanhood.

That quality which demands of the manhood of this country the recognition of motherhood will demand that the women of this country assume that responsibility which citizenship imposes, and will impose upon women the duty and give to them the right to vote as the only effective way for any citizen to register his or her will in the enactment of law and to share in the responsibility of governing our country.

WOMEN VOTERS IN COLORADO.

In extension of my remarks I call to the attention of Congress that the recent proceedings in the State of Colorado afford the most convincing arguments for equal suffrage that have been presented during all this struggle of women for their political rights. The State was born into existence with the awful load of alien land ownership. Its vast coal and mineral areas from old Spanish days were subjected to appropriation in large tracts by a few men. These lands had passed into the hands of heartless speculators who thought only of the dollars that could be dug out of the mines and ground out of the workers and consumers of coal. Foreign laborers were imported who were not in tune with Colorado laws and ideals, and were placed at work in the mines.

The soulless interests that owned the mines so manipulated the politics of the State as to pass much of the political authority into sordid and corrupt hands. The courts were controlled, county officials were owned, by the corporations, and finally the miners went on a strike. Facing hunger and poverty, they put their wives and children into tents and established a tent colony. Officers of the law, by arson, murder, and various forms of lawlessness, caused many of these women and children to be burned, shot, or suffocated to death.

Civil war and anarchy ensued. The situation was desperate. Bloodshed and carnage was the order of the day, and the weakling that was in the governor's chair was entirely unable to cope with the situation.

WOMEN VOTERS TO THE RESCUE.

In this hour of calamity the women voters of Colorado in their power and sovereignty as voters, a far greater power in such an emergency than could be generated by any beautiful sentiment of motherhood or chivalry, held a mass meeting at the Colorado Statehouse, and here is what the Colorado papers have to say about the work of those women. The Denver Post of April 26 says:

Army of women camp all day at statehouse and compel writhing governor to do bidding. Ammons tries evasion, delay, and subterfuge, but is conquered. Determined, they stuck it out until their cause was victorious.

In another edition the Denver Post says:

FIVE HUNDRED WOMEN CORNER AMMONS IN CAPITOL—DEMAND STRIKE END—SQUIRMING GOVERNOR FORCED TO END HIS DILATORY TACTICS—SENDS TELEGRAM TO PRESIDENT, ASKING IF FEDERAL TROOPS CAN BE CALLED TO COLORADO, AND WOMEN HOLD FORT WAITING ANSWER.

The spirit of militancy swept the women of Denver this morning. It swept a mighty mass meeting of 500 women and nearly 200 men gathered to protest against the sorry dilly-dallying of Gov. Ammons, which has led to bloodshed and the loss of life in the coal fields of southern Colorado.

"Immediate action and no more delay; no more investigation; no more discussion," was the demand of the people. Nor would they be put off. Gov. Ammons played for time. He tried to evade the imperious summons of the meeting to appear before the people and not only listen to their demands but to take action upon them.

But the women would not be put off. They have been patient. They have waited quietly to no end. This morning they were aroused to fever pitch by the news of renewed fighting in the strike district. Gov. Ammons literally was forced to appear before them to listen to their demands for immediate Federal intervention, for the withdrawal of the State troops from the fields and the governor's own presence there, and finally for the arrest of Maj. Hamrock and Lieut. Linderfelt and the investigation of their conduct.

"We demand that the governor here and now shall send a telegram to President Wilson asking for Federal aid," declared Mrs. Robert W. Steele, who headed the mass meeting. "Then a committee of our own women will at once send off that telegram. Nothing less will satisfy us."

DEMAND THAT GOVERNOR ASK FOR FEDERAL AID.

Again the governor played for time. He insisted that he had received word from Congressman TAYLOR that the President refused to grant aid. He was interrupted by Mrs. Steele.

"I have authority for the statement that the telegram which has been given out is not correct," she declared. "The telegram which really was sent stated that the matter had been seriously considered by the President and his Cabinet, but no action could be taken unless the governor himself asked for aid."

Gov. Ammons protested that he could not "affront the President" by asking for aid unless he was assured that the first telegram was incorrect. He begged the women to adjourn and give him an opportunity to ascertain which was correct.

AMMONS'S PLEA DROWNED WITH HISSES OF WOMEN.

His plea was drowned with shouts and hisses. "No, no!" cried the women. "We're going to stay here until we get what we want."

"How could a demand for Federal aid be an affront to the President if he is so anxious to help us?" asked Mrs. Steele in quiet dignity.

The governor openly squirmed and finally agreed to at once send his message to Washington asking which telegram was correct.

"And we'll wait here until you give us an answer," shouted the women as he hurried off, with a bodyguard of Lieut. Gov. Fitzgarrald and two plain-clothes men from the police department, Peter Carr and P. J. O'Connor.

Long before 10 o'clock, the hour set for the gathering of the women to protest against the dilatory policy of Gov. Ammons, which they declare is directly responsible for the Ludlow massacre as well as the later fighting, women began to assemble in the rotunda of the capitol.

WOMEN FROM THE HILL MINGLE WITH WORKERS.

There were women from capitol hill, women from business offices, wives of laborers and workmen. It was a representative crowd, and from the lips of all the women came determined words.

This once they would assert their power as citizens and voters to the fullest extent. Women and children had lost their lives in the strike district. And it was the sons and brothers and husbands of these women who had been sent down to Ludlow to bring about peace at the risk of their lives.

By 10 o'clock the halls of the capitol were crowded, with the leaders standing in the rotunda of the building. Promptly at the hour, Mrs. Robert W. Steele, chosen at the mass meeting on Thursday to head the demonstration, and Mrs. Alma Lafferty, president of the Woman's Peace Organization, which first called the meeting, stepped to the head of the ranks of women.

"HERE TO DEMAND END OF CIVIL WAR," SAYS LEADER.

"Women of Denver," cried Mrs. Lafferty, "we are gathered here to-day on very serious business. We are not here to take sides in this terrible trouble between the strikers and the operators. But we are here to demand of the governor that he at once take steps to bring this civil war to an end. We are not accusing anyone, but we want action at once, and let us stay here until we get it."

"We're going to stay," shouted the women, cheering and waving their handkerchiefs.

"I ask you to be quiet and dignified in presenting these demands," urged Mrs. Lafferty. "We want to act with credit to all the women of the State. Let us go forward with the quietness of despair."

Headed by Mrs. Steele, the women marched toward the governor's office. At the door they were stopped by Jackson, the governor's messenger.

"The governor asks you to go to the chamber of representatives," they were told. "All of you can't get in here."

FORCE PROMISE THAT THE GOVERNOR WILL APPEAR.

"Will the governor come up there?" asked the women, and not until they were assured that he would come before them would they leave the office, which was literally besieged.

Once gathered in the house of representatives, the women opened their meeting with the singing of "America." There were tears in the eyes of many of them, and the word was passed from lip to lip, "Remember the women and children who died at Ludlow."

"I will appoint a committee of women to wait upon the governor and demand his presence," announced Mrs. Lafferty. "Will Mrs. Herlinger, Mrs. Stuart D. Walling, Mrs. Evangeline Hartz, and Mrs. J. J. Ryan inform him that we are waiting for him?"

As the committee withdrew someone started singing the "Battle Hymn of the Republic," and in a few minutes the chamber was ringing with the martial song.

AMMONS GETS GUARD BEFORE GOING TO MEET.

For half an hour Ammons kept the women waiting while he sent for Chief O'Neill, two plain clothes men, and several traffic policemen to guard him and to preserve order.

"Why are these men allowed to enter the governor's chambers and confer with him when we are waiting?" the women demanded.

"Why, they're officers of the law," spoke up some one, "and, besides, the governor is talking with D. W. Brown on the telephone and considers that more important than conferring with the women."

Finally the committee of women were admitted. The governor was seated at his desk with Fitzgarrald by his side and the two policemen on guard.

"Gov. Ammons," said Mrs. Robinson, "we are here simply to escort you to the chamber above and to ask your immediate presence there. The women wish to present some resolutions to you."

The governor cleared his throat, then asked if the committee could not present the resolutions. "I have important matters to attend to, ladies," he said. "I have just received word that there is fighting going on at three mines down in the strike district. The attorney for the mine workers is waiting to confer with me. There are steps which must be taken immediately to prevent loss of life. I have no time to listen to resolutions."

WOMEN HOLD GOVERNOR TO PROMISE TO APPEAR.

"We, too, represent those who are desirous of preventing loss of life," he was told. "Gov. Ammons, as the State's chief executive you owe it to the women of Colorado to appear before them. We are here to help you, but we were assured before retiring upstairs that you would appear at the meeting."

"Good God, there's firing going on down there," cried Fitzgarrald, waving his hands. "The governor will come to you when the firing ceases."

"I have just until noon to arrange these important matters," pleaded the governor. "Can't you wait until then?"

"We will keep you only five minutes," insisted the women, and with a hopeless wave of the hand the governor finally assented.

He was then escorted to the house of representatives, still accompanied by Fitzgarrald and the detectives, with the women following him. As they entered the house all the women arose and shouted, then sat down quietly at a signal from Mrs. Lafferty.

"Gov. Ammons and women of Denver," she said, "we have come here on a peaceful mission. We are not here to take sides in this matter of the strike, but to demand that this dreadful warfare in southern Colorado cease at once. I am pleased to introduce to you Mrs. Robert W. Steele, who will present our demands to the governor."

MRS. STEELE IS CHEERED AS SHE CONFRONTS HIM.

The women arose and waved their handkerchiefs and cheered as Mrs. Steele came forward.

"In the name of humanity and of the women of the State of Colorado and the city of Denver, I present to you these resolutions, Gov. Ammons, adopted at the meeting of the Women's Peace Association on Monday," she said. "We request that you act upon them at once:

"Resolved, That we demand the immediate intervention of the United States troops in the strike district; that we demand the immediate withdrawal of the State troops from the field and the immediate presence of the governor in that district, in order that he may, as chief executive of the State, bring about peace in that district; and that we demand the arrest of Maj. Hamrock and Lieut. Linderfelt, and that they be brought to Denver so that their conduct may be investigated."

"Gov. Ammons, I am assured that a telegram from Congressman Taylor which was given out and printed in our newspapers all over the State a few days ago was not the correct telegram which was sent by him."

CORRECT TELEGRAM HELD BACK, SAYS MRS. STEELE.

"The first telegram stated that the congressional delegation had called upon President Wilson and the Cabinet and that Federal aid was considered out of the question. The second telegram, which I am assured was the true one, stated that the matter had been taken up by President Wilson and his Cabinet, that they had spent much time in serious consideration of it, but that nothing could be done unless Gov. Ammons requested aid."

"We therefore ask, Gov. Ammons, that you here and now write out a message to Wilson, asking for aid, and that Mrs. Lafferty then appoint a committee of women to see that the telegram immediately is sent off."

WOMEN SHOUT AS BLANK IS HANDED TO GOVERNOR.

The house fairly shook with applause and deafening shouts as Mrs. Steele finished and handed a telegram blank to the governor. Mrs. Lafferty stepped forward, asking if she might appoint a committee, but the governor shook his head and stood up.

"Ladies," he said, "while in Washington I took up the matter of Federal intervention with the President. It wasn't the first time. Early last winter, when affairs here reached a crisis, I made inquiries as to the possibility of intervention in case the State should be unable to handle the situation, and was given very discouraging reports."

"When I left for Washington a week ago Tuesday I went in the fullest confidence that there would be no more trouble in the strike district. By the time I had reached there the Mexican situation was very acute. President Wilson and the Cabinet were engrossed in the consideration of it."

"Then I got word of the trouble here. Not until last Tuesday night did I get anything very definite. At that time I could not see the President, but took up with the members of the investigating committee sent out here from Congress, and also with our own congressional delegation, the matter of intervention."

ATTEMPT TO PUT OFF WOMEN HISSED DOWN.

"When the situation became so acute I left for Denver. On the road I received a telegram stating that the congressional delegation from this State had interviewed the President and that there was no hope of Federal intervention. That is the telegram which was given out. If I was not correct, I want to know it. Before going any further I would like to telegraph to Washington and find out what is correct. It will take only a few hours, and if you will adjourn until to-morrow morning—"

The governor was not given an opportunity to complete his sentence, which was drowned out by the shouts of protestation.

"We're going to say right here," cried the women.

The governor looked around helplessly, then spoke again.

"I was assured when I came up here that you were to help me," he said. "God knows I need help. I don't need anything else. I have used what little ability I have to serve this State and to bring about an adjustment in this matter."

WANTS COMMITTEE TO GET FACTS IN CASE, HE SAYS.

"I have had only a few hours to get in touch with the situation. I am trying to organize a committee, headed by the chief justice of the State, to go down South and make investigations and find out what are the facts in the case. When we know the facts, then we can act, and no one will demand a more speedy punishment of the guilty parties if they are found than I will."

"I didn't go to bed last night until 2 o'clock, when I tried to get a little sleep. But I couldn't sleep at all, and got up at 5. Since I went into office I have spent on an average of 16 hours a day at my desk. And I am willing to spend every hour of every day of the coming weeks in the effort to adjust this matter without further bloodshed. Until you give me a good chance, I ask you as good citizens to give me your help and support. Give me an opportunity, an opportunity. I can't do anything unless I have public sentiment back of me."

WOMEN SING AS THEY WAIT ANSWER TO TELEGRAM.

The women, while refusing to adjourn, consented to wait until the governor could send off his telegram. They spent several hours singing songs and listening to the speeches of women who had been down in the strike district.

Here is the report as it appeared in the Rocky Mountain News and Times of April 26:

DETERMINATION OF MOTHERS, WIVES, AND DAUGHTERS BRINGS APPEAL OF GOVERNOR TO STOP KILLING STRIKERS.

(By Mildred Morris.)

A silent army of 1,000 women marched to the house chamber of the capitol yesterday morning. In its ranks were women with babes in arms, white-haired women whose eyes were dimmed by age, working women, women from Capitol Hill, women of all classes and of all ages. The army summoned the governor of the State to come before it. The governor came. It demanded that he send a telegram to Washington. The telegram was sent. It demanded that he appeal to Washington for Federal troops. The appeal was made.

GOVERNOR OBEYS ORDERS.

Never was there anything like it. These women who ordered the State's chief executive to do their bidding and were obeyed accomplished a great thing, and accomplished it in perfect peace and dignity. There were no threats, no hisses, no jeers. It was an assemblage that gave equal suffrage a new meaning.

The women who came believed they had a solemn duty to perform and they did not go away until they had performed it. Never were there women more deadly in earnest, more grimly determined.

WAIT ALL DAY FOR REPLY.

They stayed, most of them, from 10 o'clock in the morning until 4 o'clock in the afternoon waiting for an answer to the governor's first telegram to the President. They sent word down to the executive office that those who could would remain at their posts until the gathering's demands were granted; it mattering not whether they were made to wait all night or all week, they would wait and keep sending their committee with their commands.

There was no impatience. While they kept their vigil they sang "The Battle Hymn of the Republic," "John Brown's Body," "Onward, Christian Soldiers," and "Nearer, My God, to Thee."

At 6 o'clock there were still watching women left—150 of them. They were weary, but still grimly determined, women.

"Women, we are making history," said Dora Phelps Buell in ringing tones. "Stay on."

"We will," they cried back.
There was a call for volunteers to keep "the watch fires burning all night" if necessary. All 150 women rose to volunteer.
"We will all stay," they cried. "We will wait until the governor does our bidding."

CHEERS FOLLOW VICTORY.

When their committee came with a message from the governor that he was drafting an appeal for Federal troops they sprang to their feet and made such a demonstration as their tired voices would permit, and then sang "Praise God from Whom All Blessings Flow."
"Our work is not yet done," said Mrs. Alma Lafferty. "Women, we must wait until we see the draft of the appeal and know that it is sent. Will you wait?"

"We will," came back in chorus.
And they did. Not a woman among them left the statehouse until that appeal was sent.

CONSTANT WATCH KEPT.

In the governor's office waited the committee delegated by the women to carry its commands to the chief executive—its members, Mrs. Robert W. Steele, widow of the late chief justice of the supreme court; Mrs. Alma Lafferty, president of the Women's Peace Association; State Senator Helen Kling Robinson, Mrs. Stuart Walling, and Mrs. John Joseph Ryan. It did not relax its vigil for a moment, not even to eat. It lunched on sandwiches and dined in the governor's anteoffice on oranges and bananas. When the governor returned from his own dinner he found the committee still on the job, tired eyed but cheerful. All day it had followed him like a Nemesis.

Some of the women who waited upstairs went all day without food, not a few of whom were gray-haired women. They would not leave their posts until the draft of the governor's appeal for Federal intervention had been read to them.

NEW DEMANDS ARE PLANNED.

And when they at last dispersed after a 12 hours' vigil, tired to death but triumphant, the 150 watchers made it known that if the President refused Federal aid to end the carnage in the southern coal fields the army of 1,000 women would return and make new demands.

They wanted a cessation of bloodshed in the strike zone, and they would have it. As the mothers of the State, they had awakened to their power and were serving notice on those elected to serve the Commonwealth of Colorado and to remember that there were determined women who, like sentinels, henceforth would be on guard to protect human rights and to prevent the murder of men, women, and children in industrial warfare.

COMMITTEE IMPRESSES GOVERNOR.

The assembly of women apparently was not taken seriously by Gov. Ammons until a committee waited on him to summon him before it.

"We have come, Mr. Governor, to escort you to the house chamber where the women of Denver await you," said Senator Helen Kling Robinson.

"I am very busy, ladies," answered the governor, nervously. "You can tell me what the meeting wants and I will give my answer through you."

"But the women want to hear from you directly, Mr. Governor," said Mrs. Robinson in a quiet tone.

"It is impossible for the governor to leave this office at this time," put in Lieut. Gov. Fitzgarrald. "He can't see these women now."

"BUSY," SAYS GOVERNOR.

"I am kept busy talking over the long-distance phone," said Gov. Ammons. "I am trying to keep peace at one of the mines where there is firing. I can not come."

"Gov. Ammons," said Mrs. Robinson firmly, "the women of Denver summon you. The women of Denver, do you understand?"

"You ought to understand the governor can't come now," put in the Lieutenant governor again.

Mrs. Evangeline Heartz, another member of the committee, rose to her feet and pointed her finger at Fitzgarrald.

"Lieut. Gov. Fitzgarrald, the women of Denver are gathered upstairs," she said. "They want to see Gov. Ammons and they will see him. Do you hear?"

WORKING FOR PEACE, HE SAID.

"I am trying to bring about peace and I can only listen to those who want to help me," said the governor.

"The women upstairs are also desirous of bringing about peace," said Mrs. Robinson, "and they have come to help you, Gov. Ammons."

"But don't you see, ladies, I can not leave right now?" pleaded the governor. "I must keep peace at this mine."

WILL WAIT, HE IS TOLD.

"We don't insist that you come right now, if you can not," said Mrs. Robinson; "the women will wait for you. They are patient."

"Better come back this afternoon or some other time," suggested the Lieutenant governor.

"Oh, no, Lieutenant Governor," said Mrs. Robinson with a quiet smile. "We will wait until the governor is ready for us to escort him upstairs."

"Just a minute, then," said Gov. Ammons.

AGREES TO MEET THEM.

He went into the inner room and came out directly.
"I am ready to go now," he told the committee, and Lieut. Gov. Fitzgarrald and Detective Peter Carr and T. W. Connor, in plain clothes, walking beside him, the governor followed the committee upstairs.

The second time the committee waited on the governor Mrs. Steele bade him not to forget that the women demanded that he order Maj. Hamrock and Lieut. Linderfelt arrested and brought here to be tried on a charge of murder.

PROMISES INVESTIGATION.

"This shooting at Ludlow is to be investigated and the guilty ones punished," answered the governor. "But how can we try Hamrock and Linderfelt here, even if they were guilty? They'd have to be tried down there. We couldn't possibly try them here."

"Under the Moyer decision you can do anything, Mr. Governor," suggested Mrs. Robinson.

The governor made no answer.

Before 10 o'clock, the hour set for assembling, the women who responded to the Women's Peace Association's call thronged the corridor of the capitol.

"Women, let us proceed in a dignified manner to the governor's office," said Mrs. Alma Lafferty, president of the Women's Peace Association.

MRS. STEELE HEADS LINE.

A line was formed with Mrs. Robert W. Steele at its head. The vanguard was met at the door of the executive offices by Jackson, the governor's negro messenger.

Later, Mrs. Steele, Mrs. Robinson, Mrs. Ryan, and Mrs. Walling composed a committee appointed to remain with Gov. Ammons until he had dictated a telegram to President Wilson.

Mrs. P. T. Hurlinger, wife of a carpenter, was the first member of the committee named. She had her 8-months-old baby with her and carried the little one to the governor's office. Mrs. Robinson, Mrs. Heartz, and Mrs. John Joseph Ryan completed the committee.

About the same time the committee reached the governor's office. Detectives Carr and Connor had arrived there, summoned by Chief of Police O'Neill, who was in conference with the governor.

Mrs. Robinson insisted that the Taylor telegram to the governor be verified. On the governor's private telephone she called the Western Union office and had the telegram read to her over the telephone.

Exactly what had the women voters of Colorado done? They had broken all known precedents by compelling a governor of an American State to apply for Federal troops, admitting his own inability to preserve peace and keep order in the State. Never before had such a thing happened. A mass meeting of men could not have accomplished it. Men would have fought each other. Men would have palavered about "State rights" and "Colorado's dignity." But these women wanted the strike to stop; wanted arson, murder, and pillage to cease.

"THEIR'S NOT TO REASON WHY."

Colorado, Mr. Chairman, as already stated, presents the two biggest of all arguments for woman suffrage. First, the women and children, the homes, suffer first from bad law enforcement, from weak officers, from grasping, grafting capitalists, from men who are careless and irresponsible. They should have the right to vote from simple justice, that they may have an equal opportunity to protect their homes, their children, their dearest rights. Second, the women are competent and efficient in the greatest emergency, in the face of appalling calamity. Instinct tells them how to do the thing, and they do it.

THE WOMEN WILL VOTE IN THE UNITED STATES.

Will the women vote in this country? Yes. Will the State-rights bogey keep them from acquiring and exercising their own human rights? No.

The Democratic Party organization in this Congress may cause delay, but that party will be driven out of power if it continues in the way. That was a time when men declared that women were without souls, and there were antis in that day who opposed the good women who took issue with the clergy; but despite the antis and the reactionaries, the right of women to enter the pearly gates the equal of man was finally admitted, although the masculine gender is supposed to guard all the portals. Women then struggled for the alphabet and the right of rudimentary education, and the reactionary men of that day and the antis denounced the women, who were called "agitators" and "knockers," "dissatisfied with home environment." They burned at the stake and hung on the gibbets in England and other European countries in 10 generations 3,000,000 women who were attempting to advance the cause of womanhood. They called them witches. The women antis used red in those days to scoff at the women who were persecuted for being intelligent or ambitious. The red was a symbol of the fire which would burn the "witches" to death.

Within my own recollection women have struggled for the right to higher education and to work in gainful pursuits to make their own living. The antis were present in all these struggles, like they paraded the streets—a few of them—to-day with their red roses of scorn. But they are like mosquitoes to the American Army at Vera Cruz—some annoyance. It is true, but, after all, they only serve to stir the boys and the country with a desire to hear the word "On to Mexico."

So it will be in this struggle for equal suffrage. The battle is already won in 10 States and in Alaska. Four more will come in line next November. The Eastern States are beginning to line up. The women of America are going to vote soon. No party question will prevent them; no color line will stop them; no State rights issue will deter them; no State has any right to deny to half its citizens the right to share in government by the exercise of suffrage anywhere under the American flag. As citizens of the great American Republic, as members of the American family, and as units of the great American home, we will not permit such a travesty on democracy to exist any longer in this land of equal opportunity.

Mr. DAVIS. Mr. Chairman, how much time have I in my own right?

The CHAIRMAN. The Chair thinks the gentleman has about five minutes remaining.

Mr. DAVIS. I thought I had more than that. I will yield three minutes to the gentleman from West Virginia [Mr. SUTHERLAND].

The CHAIRMAN. The gentlemen can see for themselves the time. The gentleman from Minnesota is ahead now of the gentleman from Georgia about seven minutes, and debate, under the instruction of the House, is to close at 4 o'clock and 35 minutes.

Mr. DAVIS. I understand.

The CHAIRMAN. The gentleman from West Virginia [Mr. SUTHERLAND] will proceed.

Mr. RUCKER. I understood the Chair to say that debate would close at 4.35 p. m.?

The CHAIRMAN. Yes, sir.

Mr. RUCKER. I serve notice that it will have to stop at that time or have more Members here to listen to the debate.

Mr. SUTHERLAND. Mr. Chairman, I can not allow this opportunity to pass without voicing what I believe to be the almost unanimous sentiment of the people of my State of West Virginia in favor of a generous pension policy on the part of our Government toward our old soldiers. It will give me great pleasure to vote for the pending bill, which provides for the appropriation for pensions for the ensuing fiscal year. The only pang of regret I feel is that there are very many who should be the beneficiaries of their country's gratitude who have not yet been able to have their claims adjudicated, and yet who are as justly entitled to pensions as any who are at present on the rolls.

I desire to congratulate such of my Democratic colleagues of the Sixty-third Congress as have decided, as well as such Democrats of the Sixty-second Congress as did decide, that the American people will not stand for any parsimonious, cheese-paring attitude toward the veterans of the Civil War and their dependent heirs. It would be a fitting and magnanimous thing if every Democratic Member of Congress—those of the far South as well as those of the North—in these later days, when the harsh feelings engendered by the fearful realities of civil strife have been tempered by the lapse of many years, would join with us and make the vote upon this bill and upon all similarly well-considered bills absolutely unanimous. I am sorry that the number of Democrats who favor a liberal pension policy is so small. Yet I rejoice that in the last Congress a sufficient number of them joined with the Republicans to pass the Sherwood law. Without the aid of Republicans it would have failed of passage, yet I give full credit to those Democrats who assisted in the passage of that beneficent piece of legislation.

Yet, Mr. Chairman, the Republican Party, reunited, is the natural guardian and conservator of the rights and privileges of the old soldier, and to that party he must always look for steadfast devotion to his interests. There are still those on the Democratic side of this House, and elsewhere, who apparently begrudge every dollar that is taken from the National Treasury to pay this honorable debt to those who offered their lives on the altar of their country in the days following the firing upon Fort Sumter. We hear their railings upon every occasion in this body when a pension bill is before us for consideration.

There is a great difference, Mr. Chairman, between a liberal policy in the making, construction, and administration of our pension laws, such as that adopted by the real friends of the soldier, and a policy of scant acquiescence that has been wrung from their quasi friends by the dictates of political expediency. This difference is plainly apparent to those who have prosecuted pension claims under Republican and under Democratic administrations. We all know that a hint from the Executive, that is so effective in all other respects with his party associates, could tighten or loosen the methods employed by those who administer our pension laws, making it practically impossible, on the one hand, or easily possible, on the other, to get claims adjudicated.

I am opposed, Mr. Chairman, to all raids upon the Treasury. I do not want, nor does any honest man want, anyone granted a pension who is not equitably or legally entitled to it, but in cases of reasonable doubt at this late day, when the Angel of Death is summoning 100 or more of these battle-scarred veterans every 24 hours, and when it is becoming more and more difficult to obtain the evidence required under the stringent and technical rules adopted by an unfriendly majority, I would, Mr. Chairman, resolve those doubts in favor of the old soldier. I would rather a few should get pensions who might not deserve them than by any mischance a single deserving one shall be deprived of this recognition by his Government in his declining years. Let us be liberal, not technical, in our dealing with this subject. The few paltry dollars we can pay the veterans, even under a liberal policy, will not be a tithe of what these heroes deserve at our hands. Let us make the evening of their lives as com-

fortable as we can, for the day is rapidly approaching when the last one shall have answered the final roll call. A great country such as ours must not be charged with ingratitude.

Mr. Chairman and fellow Members, I want in this connection to make a plea for justice toward a body of men who served their country as willingly and as faithfully as any on the roll of honor of this Republic. I refer to the home guards, the independent State scouts, and those brave auxiliaries of the Army—the teamsters, bridge builders, and railroad repairers of the State of West Virginia. All or most of these men were exposed to great danger in defense of their State and country, storm ridden as it was. They made the same offering of their young manhood that was made by those who served in the volunteer armies, and I want to urge upon you, individually and collectively, that you assist in the enactment into law of the bills I have introduced in this Congress for the relief of these worthy soldiers and helpers—H. R. 9419, H. R. 10157, and H. R. 12118—by placing them upon the muster roll of the soldiers of the late war and by granting them service pensions of \$30 per month. These men are now aged, but their arms are outstretched toward their Government, of which you and I form a part, and all that they ask is simple justice. I expect to continue bringing this matter to the attention of the Congress as long as I am a Member of this body, or until these bills or similar ones that accomplish the same object are passed.

Another point I wish to make, Mr. Chairman, is this: A great many old soldiers, who have passed the age of 65 and are thus ineligible to take the civil-service examination, are about to be removed from the positions they now hold as fourth-class postmasters. The ruthless hand of the spoilsman is reaching out and depriving these battle-scarred soldiers of the livelihood they have been earning under Republican administrations. I hereby offer my protest against this intolerable injustice. Is faithful service on the battle field to go for naught? Are wounds to go for naught? Are the technicalities of a civil-service examination a better test of fitness for these offices than years of faithful and wholly satisfactory work? Will the rapacity of Democratic office seekers not stop short of this desecration? Will the mere fact that these old soldiers are Republicans or Progressives outweigh all other considerations?

If I had a thousand tongues I should employ them all in a protest against this inhumanity. In this connection I desire to read one of several typical letters I have received from old soldiers who are in fear of having their very bread and butter taken away from them.

PETROLEUM, W. VA., March 28, 1914.

The Hon. HOWARD SUTHERLAND,
House of Representatives, Washington, D. C.

MY DEAR MR. SUTHERLAND: Yours of the 27th instant just received—relative to the post office here—and I can not understand why I should unjustly be cut out of the office, having been injured in the United States Army in line of duty during the Civil War, and to such an extent as to be refused reenlistment, as the records of the Pension Office will show; and, then, I can not understand why they desire to change from one tried and proving his efficiency, to one untried and without any business training.

I hope they may yet recognize my right as a wounded soldier of the Civil War.

I herewith return the letter of the Hon. First Assistant Postmaster General.

Please excuse me for intruding so much. Thanking you for your kindness, I am,

Very sincerely yours,

GEO. B. DOUGLASS.

Mr. DAVIS. Mr. Chairman, as much has been said upon this floor for and against the old soldier, I do not care to enter into any discussion as to the merits or demerits of any of our veterans. My record in that regard is well known, I think, to all the people of Minnesota and my section, and I think my votes upon the floor of Congress in the last 10 or 12 years have shown conclusively that I am a friend of the old soldier.

We are now about to pass, and I believe unanimously, a bill appropriating \$169,150,000 for pensions for our old soldiers, their widows, and their orphans. I, for one, do not believe that that bill is one dollar too large. I agree with the present Commissioner of Pensions, who said that that amount would be necessary in order to properly pay them under the existing laws of the United States.

I wish to pay a compliment in this connection to the chairman of the subcommittee, Mr. BARTLETT, of Georgia, who thoroughly investigated the amounts that are required by the Commissioner of Pensions, and the committee, and I will say, the chairman of the committee, was heartily in favor of passing this appropriation bill. There was not a dissenting voice in that committee, and I for one believe that the Commissioner of Pensions has carefully investigated it in all respects, and these are the amounts that he suggested.

Now, Mr. Chairman, I wish to say a word concerning a certain branch of our service, and but a word. We have the two

large branches of the service, the Army and the Navy, and they are large in comparison to another branch of the service called the Marine Corps. The Marine Corps has received, perhaps, its just deserts, and perhaps not, at the hands of the American Congress. They are small in numbers, but are efficient fighting men in all ways. The beginning of this Marine Corps, as I gather from the records, is as follows: The earliest authentic record of marines in America bears the date of 1740, when three companies were organized in New York under the flag of Great Britain. The parent of the present organization, the first and second battalions of American Marines, was created November 10, 1775, by the Continental Congress.

Now, Mr. Chairman, I wish to go on record as saying that ever since the organization of this, the oldest corps of the service, the Marine Corps, there never has been an instance on this continent or wherever else the American soldier was sent, where the Marine Corps was not the first in action and bore the brunt of the battle in all cases. Such is the case now at present in Mexico. Such it was in China, and such it always has been.

Mr. Chairman, I would like to use two or three minutes of the time of the gentleman from Illinois [Mr. HINEBAUGH].

The CHAIRMAN. He has no time.

Mr. DAVIS. Then I shall appropriate two or three minutes.

Mr. BARTLETT. Mr. Chairman, I will yield to the gentleman two minutes of my time.

Mr. DAVIS. Well, if that is all the time I have, Mr. Chairman, I do not care to say anything more about any branch of the service except to say that there is no more efficient service in our Army or Navy than the marines. They are of the highest quality in all respects. You will notice they were the first that landed at Vera Cruz, and they are the first at every place where trouble exists, and they are the first ones to meet the bullets of the enemy.

Now, Mr. Chairman, I wish to extend my remarks by printing in the Record an article written by Frederic J. Haskin on the subject of the Marine Corps of the United States. I do this because it is put in better and more appropriate language than it is possible for me to do under any circumstances.

The CHAIRMAN. The gentleman from Minnesota [Mr. DAVIS] asks unanimous consent to extend his remarks in the Record by the insertion of the article mentioned. Is there objection?

There was no objection.

Following is the article referred to:

UNITED STATES MARINE CORPS.

(By Frederic J. Haskin.)

"The marines have landed and have the situation well in hand." This has been the burden of countless press dispatches from all quarters of the world.

Repetition of this message from scenes of anarchy and disaster has brought the average citizen to regard the United States marine as a mighty efficient fellow. In fact, he has formed the habit upon reading the first part of the sentence, "the marines have landed," to add the last part as a matter of course.

Wherever this country has had need of faithful service and resolute hearts there the marines have been on hand. Not only in the van at this their second occupation of Vera Cruz, the American marines have been foremost for more than 100 years whenever violence has threatened the Nation's interests. They are the skirmish line of Uncle Sam's authority; the first on the spot, the first to land, and the first to engage in actual fighting.

Further than the fact that they generally carry out their tasks beyond all grounds for argument, there is little definite in the popular idea of the marines. The nature of their service, their organization and administration are not matters of general information. To many the marine is a sailor with belted trousers and a peculiar thirst for trouble.

Marines are soldiers trained for service both on land and on ships of war. They are organized, clothed, and equipped much the same as the soldiers of the Regular Army. They are prepared to fight either as infantrymen or as artillerymen. Their corps forms an independent military organization, which is placed directly under the authority of the Secretary of the Navy. In time of war their principal duty is that of cooperation with the Navy.

Absolute mobility is the ideal of their service. The khaki-clad marine is ready upon an instant's notice to start for a rebellion in China or followers of Huerta in Mexico City. There is never any confusion about a mobilization of marines. They are being mobilized continuously, one place or another, to sit on the lid where trouble is brewing. This is one of their specialties.

READY FOR SERVICE ON SHORT NOTICE.

When the occasion arises it is just a matter of an order and a few hours until the needed marines are on their way. They are old hands at campaigning, camp making and camp breaking, skirmishes, battles, and emergency calls to the world's end. Not a year passes but they are called upon this expeditionary work. They are familiar with life in the Tropics and the rigors of northern encampments.

The headquarters of the corps is in Washington, whence the major general commandant and his staff direct the work of the organization. The marines themselves are scattered over the world in cruising battle-ships, in foreign stations, at various stations throughout this country, at navy yards, prisons, magazines, and with receiving ships. There are at present about 9,872 enlisted men in the corps and 342 officers.

In the past one of the chief duties of the Marine Corps has been expeditionary work, or response to emergency calls for the protection of the interests of the United States or the lives of its citizens in the

troubled areas of the world. In the performance of this duty they have landed many times in the countries of South and Central America and of the Orient during periods of turmoil. Since 1900, 38 expeditions of American marines have been sent out, the objective points of which stretch from Mexico to Abyssinia and China.

Other duties of the corps have been to provide detachments of from a dozen men under a sergeant to 60 or more under one or two commissioned officers for service afloat in capital ships; guard duty at naval stations, prisons, magazines, and yards; service with receiving ships and in our foreign possessions, and guard duty at such centers of temporary insecurity as Peking and Managua. A detachment of 320 officers and men of the corps protects the legation in Peking at the present time.

The duty of the corps which has now come to be regarded as the most important is that of advanced base work. This means the seizure and maintenance of ports for an advanced base of fleet operations in times of war. Such was the nature of the recent work of the marines at Vera Cruz, and such their occupation of Guantanamo, Cuba, in 1898. In the latter action a small detachment of them held McCalla Hill for three days without food or adequate water against 6,000 Spanish soldiers.

ONE REGIMENT ON EACH COAST.

Two regiments of about 1,250 men are to be organized and trained for this special purpose. One of these regiments is to be stationed on the Atlantic coast, probably at Philadelphia, while a similar regiment will be stationed on the Pacific coast at Mare Island. At the advance base school in Philadelphia the men are being trained as electricians, gunners, and machinists.

Especially care is taken in the selection of recruits and officers for the Marine Corps. Applicants have to undergo strict examinations as to their physical, mental, and moral fitness. The officers are appointed from the Naval Academy, from the ranks, and from civil life. After enlistment the men are given a painstaking training in the work of the corps at recruit camps in Norfolk, Va., and Mare Island.

Marines are excellent shots. This probably explains in large part the effectiveness of their expeditions. Nearly 4,000 members of the corps are ranked as expert marksmen, and their rifle teams make dangerous competitors. Their team won two firsts at the Seagirt meet last year, while a member of the corps won the Seagirt championship match. A team chosen from among the marines on duty at the United States Legation at Peking took first and third places last year, and again last April, in competition with teams from the legation guards of Italy, Austria, Russia, Germany, Great Britain, France, and Holland. Moreover, the marines took first, third, fourth, fifth, seventh, and eighth places in the open championship for north China, May, 1913. This match was won for the third successive year by the marines.

The marine, or the battleship's soldier, was first employed among modern nations by Great Britain for the purpose of quelling insurrections among the ruffian sailors whom she pressed into her service. The employment of infantry on ships of war, however, was probably almost coincident with the fighting ship. In this country the Marine Corps claims to have longer traditions than the Navy. The earliest authentic record of marines in America bears the date of 1740, when three companies were organized in New York under the flag of Great Britain. The parent of the present organization, the "First and Second Battalions of American marines," was created November 10, 1775, by the Continental Congress.

HAVE HAD PART IN ALL UNITED STATES WARS.

The marines took conspicuous parts in the brilliant acts of John Paul Jones. The first battle won by marines was in February, 1777, when 300 of them, under the command of Maj. Samuel Nicholas, carried by storm the English forts on the island of New Providence, in the Bahamas. It was the marines who, during the War with Tripoli, formed the bodyguard of Gen. Eaton, American consul at Tunis, on his remarkable march from Alexandria to Derne, 600 miles across the desert. Upon their arrival at Derne the marines stormed the native fortifications, and for the first time in our history raised the Stars and Stripes on a fortress of the Old World. "Tripoli" has since been inscribed upon their banner. The marines fought by land and sea through the War of 1812. Between 1815 and 1836 they fought the Spanish pirates in the West Indies, and in Sumatra were called upon to quell internal riots and to police New York following the great fire of 1835. In 1836, when the Florida war broke out, they joined in the campaigns against the Creeks and Seminole Indians.

From 1846 to 1848 the marines were engaged in the first war with Mexico. They saw service on both east and west coasts, and accompanied Gen. Scott on his march to Mexico City. They took part in the capture of Monterey, San Francisco, Mazatlan, Los Angeles, San Diego, San Jose, San Gabriel, and Guaymas.

On the east coast they took part in the capture of Matamoros, Tampico, Frontera, Tabasco, and Vera Cruz. They were also the first division to enter the Grand Plaza, City of Mexico. This explains the inscription on their banners, "From Tripoli to the halls of the Montezumas." A brigade of marines, 5,500 strong, is now waiting at Vera Cruz. Will they be called upon to march through Mexico again?

Mr. BARTLETT. Mr. Chairman—

The CHAIRMAN. The gentleman from Georgia is recognized until 4.35 o'clock.

Mr. BARTLETT. Mr. Chairman, this bill is probably the largest appropriation bill we will be called upon to pass at this session, certainly in time of peace. It carries \$169,000,000 for pensions granted by the general law and other laws to the soldiers in the various wars, their widows and their children.

I stated yesterday, Mr. Chairman, that as to the real soldiers—the ones who endured the trials of the march and the camp and the danger and exposure of battle—I have had no objection to giving them a liberal pension, and I have not now. It is only those, Mr. Chairman, who were simply enlisted for 30 or 90 days, who saw no active service, who did not perform any deeds of valor or heroism or service to the country, that I object to granting pensions to and that I have voted against granting pensions to.

This bill, I apprehend, Mr. Chairman, will be passed without serious objection. Every provision in it is to comply with the

existing law and to furnish the money to pay the pensions that the law provides for.

I ask that the Clerk read the bill.

The CHAIRMAN. The Clerk will read the bill by paragraphs for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1915, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$169,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

Mr. RUCKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 2, line 3, by inserting after the figures "\$169,000,000" the following: "No part of which shall be paid to any pensioner who has an income equal to \$100 per month at the time when the payment of his pension is due, or who has for five years next before the approval of this act continuously resided in a foreign country, unless such pensioner is a native of such foreign country."

Mr. DAVIS. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. The gentleman from Minnesota [Mr. DAVIS] reserves a point of order on the amendment.

[Mr. RUCKER addressed the committee. See Appendix.]

Mr. BARTLETT. Mr. Chairman, is the point of order up before the committee?

The CHAIRMAN. No; the gentleman from Minnesota [Mr. DAVIS] reserves the point of order.

Mr. BARTLETT. I want to say, in discussing the point of order at the present time—

The CHAIRMAN. The Chair will rule if the gentleman desires.

Mr. BORLAND. I would like to be heard on the proposition.

Mr. BARTLETT. The point of order, I understand, has been reserved. The precise question embraced in a portion of this amendment has been ruled upon in the Sixty-second Congress by the Chairman of the Committee of the Whole, Judge BOOHER, of Missouri. Two years ago, when the pension appropriation bill was under consideration, it contained a provision that no part of the appropriation should be paid to those residing in a foreign country who were not citizens of the United States. The point of order was made, and it was overruled. I refer the Chair to that precedent. So far as the amendment relates to payment to foreign residents outside of the United States, the amendment is not subject to a point of order.

The CHAIRMAN. What part of the amendment does the gentleman refer to?

Mr. BARTLETT. I say that two years ago, in the Sixty-second Congress, there was reported from the Committee on Appropriations, in the pension appropriation bill, a provision which said that no part of the money provided for in that bill should be paid to any person residing in a foreign country who was not a citizen of the United States, and the point of order was made to the provision that it was legislation. After argument was had the Chairman, the gentleman from Missouri, Mr. BOOHER, decided that it was in the interest of economy and reduced the amount carried in the bill, and therefore it was in order under the Holman rule, and also was a limitation upon the expenditure of the money. I give the Chair the benefit of the ruling, which I can produce with some little research. So I think the amendment is not subject to a point of order; and as to the merits of the amendment, I will discuss that later.

Mr. BORLAND. Mr. Chairman, the point of order having been reserved, I want to say a word about the amendment itself. This amendment is a combination of two amendments that were made to the last appropriation bill in the third session of the Sixty-second Congress. The second part of the amendment in particular is a very important feature to pensioners of this country. In 1893 Congress passed a law forbidding the payment of pensions to persons not citizens of the United States. At that time the report on the bill showed that there were 3,000 persons drawing pensions who were not citizens of the United States, and the amount they drew was \$350,000. That was in 1893. In 1912, when this amendment was reported for a second time by the Appropriations Committee, the number of foreign pensioners had grown to 5,405, and the amount of the pensions they drew had grown to \$967,000.

Now, one argument that was made in favor of paying pensions to foreign pensioners was that there were a few widows in Ireland whose husbands had died on the field of battle in the Civil War. I submit to this House that that does not account for the increase of foreign pensioners from 1893 to 1912 from 3,000 to 5,000, and an increase of money from \$350,000 to over \$900,000.

Mr. WILLIS. Will the gentleman yield?

Mr. BORLAND. No; the gentleman has made one slump speech.

Mr. WILLIS. That is hardly a fair statement.

Mr. BORLAND. We are making payments to men who have renounced their American citizenship and are no longer citizens of this country. That is the only explanation that can be made in the increase of pensioners since 1893 upon foreign soil. This sentiment is favored by those who stand with the gentleman from Ohio and make political capital out of the payment of Federal money to pensioners. [Applause.] The Pension Department stated that in the case of these foreign pensioners there was absolutely no way to tell when the pensioner died; there was no way to tell whether the right person got the money; no way to convict a man of fraud if he got money that did not belong to him; there was no way for the Government to safeguard the payment of these pensions. Now, we have \$967,000 paid out every year of the taxpayers' money. You have no way to safeguard that; you must trust to luck that some of it will get into the hands of those to whom it belongs. No American law can reach the payment of that money, and at least two-thirds of it goes into the hands of people who, since 1893, have become nonresidents and in many cases noncitizens of the United States.

This amendment ought to be adopted in fairness and justice to the taxpayers of the United States, in fairness to the old soldiers who stand by the old flag, and if any man is entitled to fair treatment it is the soldier who stands by the colors that pays him the pension.

There is no reason, no justice, in paying nearly a million dollars of the people's money every year into the hands of foreigners. I undertake to say that of the pensionable widows living in Ireland in 1893, not 50 per cent are living to-day. If they are, this law safeguards those people. The gentleman from Missouri has made his amendment so that if the pensioner is a native of a foreign country he continues to draw his pension, and therefore these widows whose husbands fell on the field of battle will not be cut off by the amendment, but it will reach only the class that it ought to reach, and the payment to whom is indefensible, the ones that have renounced their American citizenship and are no longer supporters of the American flag. [Applause.]

Mr. DAVIS. Mr. Chairman, can we have the amendment again reported as it now reads?

The CHAIRMAN. Without objection, the amendment will be reported as modified.

The Clerk again reported the amendment.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. Has the point of order been made?

The CHAIRMAN. No; the point of order has been reserved by the gentleman from Minnesota [Mr. DAVIS].

Mr. GOOD. After the point of order is disposed of I desire to address myself to the amendment.

Mr. DAVIS. Mr. Chairman, I make the point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, has the Chair any doubt about the amendment being in order?

The CHAIRMAN. The Chair thinks that one phrase in the amendment is subject to the point of order and the other is not.

Mr. GARRETT of Tennessee. Mr. Chairman, in the first place, is it not merely a limitation upon an appropriation; and, in the next place, is it not clearly in order under the Holman rule?

The CHAIRMAN. The Chair thinks one of the paragraphs in the amendment is. The Chair would like to hear the gentleman.

Mr. GARRETT of Tennessee. Mr. Chairman, it seems to me the whole proposition is in order under the Holman rule. Is the point of order made that it changes existing law?

Mr. DAVIS. Yes. One part of it at least is subject to the point of order.

Mr. GARRETT of Tennessee. May I ask the gentleman in what respect?

Mr. DAVIS. I think the fore part, in regard to the income of \$100, is subject to a point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, as to that, the Chair, in using his common sense, would know that that would tend to reduce expenditures, under the Holman rule.

Mr. DAVIS. I believe that it has been decided that it must appear upon the face of the amendment itself that it does reduce expenditures, and in this case it certainly does not.

Mr. RUCKER. It does so appear upon its face.

Mr. GARRETT of Tennessee. Mr. Chairman, I have not the Holman rule before me just now, and it is difficult, even as often as I have been over it, to hold the exact provisions of it in mind, but it does seem to me that it is clearly inferable from the face of this amendment that it would reduce expenditures, and, therefore, that that part of it also is in order under the Holman rule.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks that the intent of the Holman rule is to apply in the necessary administration of government, and that it would apply in a case of this character where it would tend to reduce the expenditures of the Government. It would therefore apply to the portion relating to those who have an income of \$100; but the Chair does not think it would apply to those who happen not to live in this country; that that is clearly new legislation, not affecting the subject matter relating to the necessary administration of government.

The Chair thinks if individual pensions could be cut off that a logical conclusion must follow that an amendment cutting out all pensions would be by such construction in order.

The Chair realizes, and doubtless the committee does, that every rule must have wholesome exception, and it occurs to the Chair that is such exception to the Holman rule.

Mr. GARRETT of Tennessee. Mr. Chairman, what about the matter of limitation? It is a limitation on this particular appropriation.

The CHAIRMAN. Does the Holman rule cover that question?

Mr. RUCKER. If we cut out the pensions of those who live in foreign countries it certainly reduces the amount.

Mr. TAGGART. Mr. Chairman, may I be heard upon the point of order to make a suggestion to the Chair?

The CHAIRMAN. The Chair will indulge the gentleman.

Mr. TAGGART. Mr. Chairman, as I understand the rule, an amendment offered to an appropriation bill which manifestly and upon its face would change existing law is not in order. The law of May 11, 1912, provides a pension for all honorably discharged soldiers of the United States Army who served in the Civil War for 90 days or more who have attained a certain age. No exceptions are made in that law. It is on the statute books. This amendment makes a radical change in the law. While it might reduce expenditures, and manifestly upon its face in both these particulars it would reduce expenditures, yet it changes an existing public law in two particulars. In the first place, the law is changed as to all pensioners who are in receipt of \$100 a month from any source whatsoever. The law is changed with respect to all pensioners who happen to be absent from the United States for a period of five years. I therefore think that it is manifestly in violation of the rules.

The CHAIRMAN. The present occupant of the Chair was going to state that he thinks one of these phrases in the amendment is out of order, and that would necessarily compel him to rule the entire amendment out, but he would prefer in this instance to follow the precedents heretofore followed by the House, and therefore will overrule the point of order.

Mr. MADDEN. Mr. Chairman, I desire to discuss the amendment.

The CHAIRMAN. The gentleman from Illinois will proceed.

Mr. MADDEN. Mr. Chairman, it seems to me that the adoption of an amendment such as this would be a disgrace to the country. The men who fought the battles for the preservation of the Union are entitled to better consideration than this amendment would give if it were adopted. The granting of a pension to any man who served the country in the time of its direst need is doing no favor whatever to the man who draws the pension. It is a duty and obligation the Government owes to the man who made it possible for us to live here [applause] in a Nation covered by a single flag. It matters not what the income of the man who served in the war may be. That ought not to determine the question whether he is entitled to a pension. The record of his services is the thing upon which the pension is granted, and not upon the question of whether he is able to earn \$100 a month over and above what he may draw from the Public Treasury as a pensioner. The pension is simply a badge of honor for the services he rendered to his Government when it needed men. Who inquired how much income a man had when he volunteered for the war? The question then was, not what is his earning power, but is he fit to be a soldier.

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. I refuse to yield; I only have five minutes. Men do not seek pensions because in many cases they need the

money. They seek pensions because they wish to have that certificate of honor of service rendered to their country. There is no greater service that a man can render to his nation than that of offering his life in days of need, in days of danger. We have heard patriotic speeches on the floor of this House during the past five or six days because 17 or 18 of our boys were killed at Vera Cruz, and it was very proper they should be made; they encourage those who are facing the enemy. But why discriminate against the man because he happens to be successful, because he happens to be alive after the result of his services to his country? Why discriminate against a man because he happens to have other income? Are you opposed to thrift? The question embodied in this amendment is to penalize a man's success, to say that it is not respectable to be successful—that only paupers need apply. The only question for consideration before this House should be, Ought the man who served the country when it needed his services, who has an honorable discharge, who gave all he had in the defense of his Nation and the honor of its flag, to receive a pension? If he rendered the service and the record justifies it, the pension ought to be granted without condition; but any condition sought to be imposed on any man who has an honorable discharge as a result of his services to his Nation in time of war is an insult to the patriotism of the American people. [Applause.] Mr. Chairman, I protest against the adoption of any such amendment to this bill. [Applause.]

Mr. TAGGART. Mr. Chairman, this amendment should not prevail. It is unjust, it is manifestly absurd, it is ingeniously cruel to cut off the pension of an American citizen whose business has taken him away from his native country for five years.

Mr. RUCKER. It does not.

Mr. TAGGART. It does it, and I am right about it. The message we would send perhaps to a hero of Gettysburg who might be in the City of Mexico protecting his family and who might have been there for the past five years is this: "That inasmuch as you are not a native of Mexico and because you have lived there for the past five years your pension is cut off." If he were a Mexican, we would not cut his pension off. The Mexican who goes back to Mexico can draw his pension, but the American citizen, perhaps, whom he is trying to murder, has his pension cut off under this amendment.

Mr. RUCKER. Will the gentleman yield?

Mr. TAGGART. I will read the language of the amendment so there will be no "ifs" and "ands."

Mr. RUCKER. The gentleman ought to do so to avoid some of the mistakes he has made.

Mr. TAGGART (reading):

No part of which shall be paid to any pensioner who has an income equal to \$100 per month at the time when the payment of his pension is due, or who has for five years next before the approval of this act continuously resided in a foreign country.

And listen.

Unless such pensioner is a native of such foreign country or has become a citizen of a foreign country.

If he is a native of a foreign country or a citizen of a foreign country you pay him a pension. If he still retains his loyalty to the old flag, and did not renounce his citizenship, but has resided five years in a foreign land, you cut off his pension by this amendment. It is manifestly absurd and unjust. The refusal to pay a pension to a man who is in receipt of \$100 a month means simply this, that we consider a pension a gratuity, a crumb from the rich man's table, handed down to some poor Lazarus who has come to receive it. That is not the meaning of a pension to a volunteer soldier of the United States, nor has it ever been. [Applause.]

Mr. McKELLAR. Will the gentleman yield?

Mr. TAGGART. I will.

Mr. McKELLAR. Is it not the actual practice, though, and is it not true, that every Member of this House almost who comes before the Military Affairs Committee to get a record corrected uses as his principal argument the present condition of the would-be pensioner?

Mr. TAGGART. Yes; and I accept the rebuke from the gentleman, inasmuch as I went before the same Military Committee, and the gentleman with the utmost kindness listened to me and granted a favorable report in the case of a widow of a soldier with a defective record, where that widow had been reduced to poverty and the pension had been rejected.

Mr. McKELLAR. It was good, though.

Mr. TAGGART. Yes. Now, you are going to characterize the 450,000 men who fought under this flag the same as you did that poor suffering widow who was the wife of a deserter. They are not in the same category, and they are not before this House in the same light. I am opposed to this idea of putting a penalty upon either the resources or the character,

the frugality or the industry, of a man who not only fought for the flag but made an industrious citizen afterwards. [Applause.]

Mr. McKELLAR. Will the gentleman yield again?

Mr. TAGGART. I will yield again.

Mr. McKELLAR. Does the gentleman believe that one who fought for his country, as the gentleman says, in the late Civil War, should renounce his country and become a citizen of another country and still draw a pension from our Government?

Mr. TAGGART. Now, I will take the liberty of asking another question, and I will not only put it to you, but to anybody else who favors this amendment. How many pensioners on the pension roll of the United States have renounced their allegiance to the United States? Who are they, where are they, and how many of them are there? Nobody has said one word about it.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. TAGGART. For a question.

Mr. MADDEN. Does this amendment provide that where a man has renounced his allegiance to the United States and becomes a citizen of another country he will actually forfeit his pension?

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGGART. Mr. Chairman, I ask unanimous consent to continue for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TAGGART. It all depends upon this phrase: "Or has become a citizen of a foreign country."

If that phrase is thrown in right after the main part of it, it would cut out anybody who had become a citizen of a foreign country. But I contend that the number of persons who have done that is very small.

Mr. HEFLIN. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Kansas yield to the gentleman from Alabama?

Mr. TAGGART. Yes; for a moment.

Mr. HEFLIN. I think the gentleman will agree that if any man who now lives abroad has rendered service to the United States, but is on the pension roll, he ought to get that pension.

Mr. TAGGART. Yes, sir; I think so.

Mr. HEFLIN. The gentleman from Missouri [Mr. RUCKER] says that under the present plan there is no way of telling whether he does get a pension or not, or when he dies.

Mr. TAGGART. I do not think there would be any great difficulty about that. The postal system of the United States will reach him. He signs a receipt for the pension. Here it is a question of the identification of the signature. There is no more difficulty in seeing that it reaches him than in seeing that your check might reach him, or that his banker might identify his indorsement upon that check. When he dies perhaps there might be more difficulty than if he died in the United States. But we can manage it. We have done harder things than that.

Mr. COX. Could not our foreign consuls look this matter up?

Mr. TAGGART. I imagine that if they took their heels down from the table and laid aside their cigars for awhile they could look the matter up.

This reduces a pension to a beggar's portion, and I am opposed to it; and for and in behalf of the nearly half million of men who sustained this flag I protest against it, and I will vote against it. [Applause.]

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa [Mr. Good] moves to strike out the last word.

Mr. GOOD. Mr. Chairman, this same provision, in part, was before the last Congress. The last pension appropriation bill contained a provision which provided that no part of the sum appropriated in that bill for the payment of pensions for the fiscal year ending June 30, 1914, should be used to pay a pension to any person who resided in a foreign country or who was a citizen of a foreign country.

That provision was stricken out on a roll call in the House. That is exactly the same language that was written in the law during the second term of President Cleveland, and after it had been the law for two years Judge Lochren, a Democrat, who was administering the office of Commissioner of Pensions, wrote a letter to the Secretary of the Interior, which I placed in the Record last year and which I will read in part now. In that letter Judge Lochren said:

A clause of chapter 187 of the public acts of the second session of the Fifty-second Congress provides:

"That from and after July 1, 1893, no pension shall be paid to a nonresident, who is not a citizen of the United States, except for actual disabilities incurred in the service."

I respectfully ask your attention to this clause, in the hope that you may recommend its repeal. It causes great trouble and annoyance to the excepted classes, who constitute the great bulk of nonresident pensioners, in compelling them to make proof that they belong to these excepted classes. And the final result is that payments under it are withheld from but few, save widows and dependent mothers, who have little else for their maintenance. The saving is too little to offset the suffering inflicted in individual cases. If all nonresidents were refused payments of pension some plausible argument might be made in support of such policy; but none can be urged in favor of this law, which, while giving annoyance to all, strikes only the most helpless.

I should not feel warranted in asking attention to this law but for the fact that it entails much work on this bureau, in answering communications, and seems to yield little practical results except annoyance and apparent cruelty. I recognize to the fullest extent that my sole duty is to execute and administer the laws as they are enacted—fairly and honestly interpreted.

Very respectfully,

WM. LOCHREN,
Commissioner.

The SECRETARY OF THE INTERIOR.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Arkansas?

Mr. GOOD. I regret I can not yield.

Mr. WINGO. Will the gentleman indicate what he was reading from?

Mr. GOOD. From a copy of the letter of Judge Lochren that I read last year, and is found in the Record of February 18, 1913, page 3357. You will notice that he says no plausible argument "can be urged in favor of this law, which, while giving annoyance to all, strikes only the most helpless. [Applause.]

Mr. Chairman, when the call to arms came did this country ask whether the men who supported the flag and joined the Union forces in support of the Union were American citizens or citizens of Great Britain or of Ireland? And when we passed the Sherwood pension law did we ask that question? Did we ask whether or not these men who were to receive pensions were voters in the United States?

Oh, this cheap bid for votes will find no response in the hearts and minds of the 100,000,000 of our countrymen. [Applause.]

The Sherwood pension law was bottomed upon the sound principle of service. This provision, going much further than the amendment of last year, provides that no soldier, no matter where he lives, if he has an income of \$100 per month, shall receive a pension. It goes even further than that. It strikes from the pension roll every soldier living abroad who is a citizen of this country and has lived abroad for five years, no matter whether he receives his pension to-day because of wounds incurred in the line of battle or not. We have hundreds, aye, thousands of men on our pension roll to-day, some of them foreigners and some of whom live abroad, who are pensioned because of disabilities received in line of duty. This provision would prevent them from receiving a single penny in the way of a pension.

Pass this amendment, if you like, but never again say that your side of the House is in favor of pensions to the old soldiers. [Applause.] Pass this amendment, if you will, but never again on the public rostrum say that you are in favor of pensions to old soldiers for service, but say instead that you are in favor of a pension to a pauper. Place your support of pensions to old soldiers on a pauper basis, if you will, but never again refer to that bill which bears the name of that brave general who represents a constituency on the floor of this House and whose name was attached to that great bill as a service-pension bill. In the future say that it was a pension for paupers. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Chairman, I ask for two minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GOOD. Mr. Chairman, this provision ought to be defeated by practically the unanimous membership of this body. This amendment has no place in a pension bill at this time.

Think of it! As Judge Lochren said in that report, the men and women from whom you will withhold pensions, the class who will be excluded, are the very class that need the pensions the most. True they live in other countries, where perhaps they can live more cheaply than they can in this country. As was well said by the gentleman from Missouri, many of these pensions are paid to widows living in Ireland, who gave sons or fathers to the cause of the Union. They may have become citizens of the United States and returned to their native country; and now if we adopt this amendment we shall send to them the message that they can no longer receive a pension. To the other provision of the amendment we say to the man who is frugal, the man who is industrious, but who may have given four of the best years of his life to the defense of his country,

and his country's flag, "If your income is \$1,200 a year, you can not receive one penny of a service pension."

Pass this amendment, if you will, but let it be known that it is the pension program of that side of the House, that this is the plan of Democracy as to the principle on which pensions should be granted and paid. [Applause.]

Mr. GRAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. On which side of the amendment does the gentleman desire to speak? All the speeches that have been made have been against it. The Chair wishes to alternate, if possible.

Mr. GRAY. I want to make a speech against this amendment.

Mr. BORLAND. I want to offer a substitute.

The CHAIRMAN. The gentleman from Missouri offers a substitute, which the Clerk will report.

The Clerk read as follows:

Provided, That no pension shall be paid to any person out of this appropriation who is receiving a salary or wage in excess of \$2,000 per annum, whether paid annually, monthly, or at other periods, except such person be on the pension roll for actual disabilities received in the service; *Provided further*, That no pension shall be paid to any person out of this appropriation who is receiving or has an income other than in the last preceding proviso that amounts to more than \$2,000 per annum, or who owns property, real or personal, in excess of \$10,000, except such person be on the pension roll for actual disabilities in the service; *Provided further*, That no pension shall be paid to any person out of this appropriation who resides in a foreign country and is not a citizen of the United States, except such person be on the pension roll for actual disabilities in the service or as the widow of a soldier.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tully, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 3432. An act to reinstate Frank Ellsworth McCorkle as a cadet at United States Military Academy.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIVELY, Mr. JOHNSON, and Mr. SMOOT as the conferees on the part of the Senate:

S. 4057. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4552. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4352. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4260. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4168. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 661) for the relief of the widow of Thomas B. McClintic, deceased, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BRYAN, Mr. MARTIN of Virginia, and Mr. CRAWFORD as the conferees on the part of the Senate.

The message also announced that, in compliance with the provisions of House concurrent resolution No. 39, the Vice President had appointed Mr. SAULSBURY, Mr. ROBINSON, Mr. O'GORMAN, Mr. VARDAMAN, Mr. GALLINGER, Mr. KENYON, and Mr. BRADY as the committee on the part of the Senate to attend the exercises to be held in Brooklyn, N. Y., May 11, 1914, in honor of the men of the Navy and Marine Corps who lost their lives at Vera Cruz, Mexico.

PENSIONS.

The committee resumed its session.

Mr. BORLAND. Mr. Chairman—

Mr. FOWLER. Mr. Chairman, I desire to reserve a point of order against the amendment.

Mr. DAVIS. I make the point of order.

The CHAIRMAN. Does the gentleman from Missouri [Mr. BORLAND] desire to address the committee?

Mr. BORLAND. I desire to address the committee, but if the gentleman makes a point of order I will say that this substitute is in the precise words of an amendment which was held in order on February 18, 1913, when the last pension bill was under consideration.

The CHAIRMAN. Without discussing that proposition, the Chair is inclined to think, in his own mind, that both are out of order; but as the Chair ruled the other in order, he will hold this also to be in order. The Chair will state that he ruled the other in order because of the precedents.

Mr. BORLAND. Mr. Chairman, the gentleman from Iowa [Mr. GOOD] has made a very eloquent and touching speech about the widows in Ireland. I thought if we let him go long enough, either he or the gentleman from Ohio would make that speech about the widows in Ireland. Now, in this substitute I have taken care of the widows in Ireland, and not a widow in Ireland will lose her pension by virtue of this amendment. Therefore the political activity of widows in Ireland as a political asset of gentlemen in the Northern States will cease. They will no longer be a political asset to those gentlemen.

Mr. GOOD. Will the gentleman yield?

Mr. BORLAND. No; not at this particular time.

Mr. GOOD. I want to ask what you have done about the voters?

Mr. BORLAND. Just at this particular moment I will not yield. The gentleman from Iowa [Mr. GOOD] was a member of the subcommittee which reported this pension bill two years ago, and he knows the facts which were developed at that time, that I referred to here a few minutes ago, that the amount paid to foreign pensioners had increased 300 per cent in 20 years. In 1893 it was \$350,000. It is now \$967,000, and I know that that increase is not accounted for by the widows in Ireland. I have a suspicion that a large amount of that increase is accounted for by old soldiers who have gone to western Canada and have renounced their American citizenship for the purpose of becoming homesteaders upon Canadian lands, and are now there voting in Canada. I rather suspect that we are furnishing a large amount of the living expenses of men who are trying to develop that boom country in western Canada. I undertake to say that a very large per cent of the \$967,000 has gone in that direction.

Mr. BARTLETT. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. BARTLETT. Of the 5,495 pensioners, 2,879 reside in Canada.

Mr. BORLAND. More than 50 per cent of the foreign pensioners are citizens of Canada, so that the widows-in-Ireland proposition is exploded now for good. There is no more political asset in the appeal to the sentiment in favor of the widows of Ireland. It gets down to a plain proposition that you gentlemen must face on that side of the House, whether you are willing to expend the money of the American people, the money of the old soldiers who are in this country, as well as others, in the payment of pensions to men who have renounced and abandoned their country.

Mr. MADDEN. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. MADDEN. The question is, Did the men who are living in Canada or any other country in the world serve the United States as soldiers during the Civil War?

Mr. BORLAND. That is not the question.

Mr. MADDEN. And have they an honorable discharge?

Mr. BORLAND. That is not the question, the gentleman who is familiar with the pension laws knows that all countries have adopted a policy to pay men who have incurred disability in the service. We have gone beyond that and we not only pay men who incur disability in the service but we pay those who are not disabled. We have gone beyond the point of disability which is the real foundation for pensions. The man who lost an arm or a leg or has shattered health or constitution from service to his country is entitled to something from his country. That is no gratuity. But when you go beyond that and pay men simply because of service, then you are doing what no civilized country has ever done or does to-day, and when you go still further and do what these gentlemen urge, take the money of your citizens to pay it to the men living abroad who are not American citizens and who have not incurred disabilities in the service, you are doing something that no country ever did and which nobody undertook to defend. It was never proposed in any legislative body in the world except this body, that pensions should be paid to men who had incurred no disability and who had renounced their flag.

Mr. CAMPBELL. Mr. Chairman, I rise in opposition to the amendment. I am amazed at the attitude of the gentleman from Missouri [Mr. BORLAND]. Does he forget that this country is also the only great country in the world that does not constantly maintain a large standing army; but always depends in a time of emergency upon the volunteer soldier?

Many of the old soldiers who are living in Canada to-day and are drawing a small pension from the United States are men who volunteered, who offered their services and best years of their lives to their country; and if now they can better their material condition or improve it in any way by moving to Canada, the gentleman from Missouri would cut off their pensions and any recognition for the services rendered to their country.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. CAMPBELL. For a question.

Mr. GARRETT of Texas. I would like to ask the gentleman if it is his intention to remain here during the war?

Mr. TAGGART. Will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. TAGGART. Would the investigation of 450,000 cases to ascertain whether or not every pensioner on the pension roll might be receiving \$2,000 a year or more, or who might have joined the Dominion of Canada and might have forfeited his pension—would not these investigations cost more than would be saved by this amendment?

Mr. CAMPBELL. I thank the gentleman from Kansas for calling my attention to that. The fact is that if the amendment offered by the gentleman from Missouri prevails it will accomplish the purpose that he has in view. It will delay the payment of pensions of more than half of the men who are to-day drawing pensions. Many of them, while they are proving that they do not receive an income of \$2,000 a year independent of their pension, will probably pass to the great beyond, while investigators for the Pension Bureau are endeavoring to find out whether they are entitled to pensions at all that the Sherwood bill intended that they should have and that all the pension laws enacted since 1862 intended they should have.

Mr. RUCKER. To whom does the gentleman refer?

Mr. CAMPBELL. To the gentleman from Missouri, Mr. BORLAND.

Mr. RUCKER. I introduced the amendment, and I do not wish to be lost sight of.

Mr. CAMPBELL. The amendment and the substitute should be defeated in the interest of just pensions to soldiers who served their country when it needed their services.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I have always taken very liberal ground upon this pension matter, and the district which I have the honor to represent has sustained me in that, but I have heard so often and so often of this matter of a pension certificate being a certificate of honor that I confess I have grown somewhat weary of the story. My friend from Illinois [Mr. MADDEN], with whom upon a great many questions I am in agreement, made quite an impassioned speech upon that question and insisted that gentlemen who did not need a pension were drawing it because of the fact that it was a certificate of honor. Mr. Chairman, I desire to present what I conceive to be a certificate of honor in connection with the pension matter. During the Spanish-American War a young man went out and served as a soldier from one of the counties in the district that I have the honor to represent. He contracted disease, rheumatism, for which, when he made application, he was granted a pension. He drew that pension for some years, just how long I do not know, but when his quarterly check went to him for the quarter ending November 4, 1913, he addressed the following letter, a copy of which I hold in my hand, to the Commissioner of Pensions:

BROWNVILLE, TENN., November 10, 1913.

BUREAU OF PENSIONS,
Washington, D. C.,

GENTLEMEN: I herewith surrender my pension, as I feel my condition is such I no longer am entitled to it. Also return last check sent me.

Yours, very truly,

W. BEN MARTIN.

[Applause.]

Mr. Chairman, I shall take the liberty of reading the reply of the Commissioner of Pensions, in order that this young man's record may appear fully. It is as follows:

NOVEMBER 18, 1913.

Mr. W. BEN MARTIN, Brownsville, Tenn.

DEAR SIR: I have received your letter of the 10th instant transmitting a check for \$18 in payment of your pension certificate No. 1129432 for the quarter ending November 4, 1913, and your pension certificate. You state that your condition is such that you believe you are no longer entitled to a pension and you therefore surrender your pension certificate and the check above mentioned. In response I have to advise you that in accordance with your request the check, dated the 4th instant, for \$18 has been canceled and your name has been dropped from the pension roll.

I have examined the records in your pension case and find that you had a very creditable service from May 24, 1898, to February 13, 1899, during the War with Spain, and that you contracted rheumatism and resulting disease of the heart during the service.

I congratulate you upon the stand that you have taken. You were very patriotic enlisting in the service, and the Government had need of just such brave and loyal men as you were, and now your voluntary relinquishment of the pension is an additional evidence of your patriotism and loyalty, and entitles you to the thanks of all good men. It would be very gratifying, indeed, if everybody who is receiving a pension who honestly and conscientiously knows that it ought not to be given to them would take the same action that you have. I honor you and praise you for it.

Very truly, yours,

G. M. SALTZGABER, Commissioner.

[Applause.]

I regard that letter of Mr. Martin as a certificate of highest honor. [Applause.]

Mr. GRAY. Mr. Chairman, I am opposed to war, but as long as we have war I am in favor of pensions. The average age of the soldier of the Civil War is past 70 years. His allotment of three score years and ten has more than expired. He is standing upon the verge of the grave, listening for the bugle of time to call him to the great beyond. His final summons is past due. Time has invaded his home. His family is gone, and he is alone, hovering over the cold ashes of age in the bleak winter of life. Impelled by vicissitudes, rather than choice, he has left the country for which he fought in the vigor of young manhood, to live with a son, or a daughter, or a grandchild, or to pass his few remaining days with some relative or friend of his boyhood in the land of his birth. If you ask why he does not stay in a soldiers' home, I answer, because it is not home. He would rather go back to a log house with a dirt floor and sleep on a bed of straw and live with his children, with his old-time neighbors, to be buried in his own churchyard among the graves of his family and departed friends.

I am opposed to taking away the pensions of these old soldiers. I believe that once a soldier of this Nation always a soldier of this Nation. [Applause.]

Mr. WILLIS. Mr. Chairman, I am opposed to these amendments which have been offered to this bill. Without impugning the motives of anyone, or without even suggesting that my friend from Missouri [Mr. BORLAND], who gratuitously assumed that I was making a political speech, was undertaking to make a political speech himself, I want to say that I do not believe this is the time to legislate upon this great question. The very fact that these two amendments which have been offered are utterly incongruous and inconsistent, and the further fact that probably there are not five Members on the floor at this time who know what the amendments provide, are sufficient reasons for me to form my conclusion that it is not wise or desirable or safe legislation in the interest of the country and of the old soldier to complicate the payment of pensions by the adoption of these amendments.

The question as to whether there ought to be any limitation as to the payment of pensions based upon the amount of income is a very grave question. I have a definite notion about that. I am of the opinion that pensions should be paid as a just obligation of the Government to its faithful and patriotic defenders, and as an honorable recognition of the services of heroic men fighting for the flag. The granting of a pension is not a gratuity, neither is it an act of charity; but no matter what I believe, or what others believe, on that proposition, I want to suggest, absolutely without partisan feeling, that it seems to me it is unwise and unfair to the old soldiers to provide that not one single dollar of the pension money appropriated in this great appropriation bill shall be paid unless it shall be ascertained that the pensioner does not have more than a certain amount of income. Neither of the distinguished gentlemen from Missouri has undertaken to provide any means whereby the amount of this income can be ascertained. Unless some means shall be provided in the law for the ascertainment of the soldier's income on pension day, all payment of pensions would be delayed indefinitely, and the old soldiers and those dependent upon them would suffer thereby. In my judgment a soldier is entitled to his pension without being compelled to make oath that he is in need. This Government can not afford to be parsimonious with the fast-disappearing army of 1861-1865.

It is stated in the amendment proposed by the gentleman from Missouri [Mr. RUCKER] that this pension money shall not be paid on any day of payment unless the Commissioner of Pensions shall have ascertained certain facts with reference to the income of the pensioners. Now, gentlemen, stop for a moment and think. What does that mean? Under the present method of paying pensions it means, if the law is to be lived up to, that at least four times a year in some method that the gentleman from Missouri has not indicated in his amendment, and which he could not indicate in an amendment prepared hurriedly and introduced on a great appropriation bill of this kind—in some way the Commissioner of Pensions is to ascertain the monthly income of every pensioner in the country. Now, I

insist, gentlemen of the committee, that it is not a practical or just method of dealing with this question, even if the House is determined to abandon the policy which it has already decided upon, namely, that of paying pensions, not only because of wounds received or diseases incurred in the service, but because of age and length of term of service. I recognize the fact that the gentleman from Missouri [Mr. BORLAND] is perfectly consistent in proposing this amendment, because, as I recall, he has always strenuously and consistently opposed pension legislation based upon age and service, and I am not now questioning his motives as to that, but I am saying to those who believe in the system of paying pensions that is now upon the statute books, that was put there under the leadership of that gallant old soldier who sits across the aisle, my colleague, Gen. SHERWOOD [applause], if you believe in that system of paying pensions, it is unwise, it is unfair to the old soldiers of this country to provide in this slipshod method, in such a way that not even the author of the amendment himself can indicate, that the pension shall be held up until the commissioner shall decide the amount of the income of each pensioner. This great civil strife closed almost a half century ago; the average age of its heroic survivors is over 70 years, and they are fast passing into the great beyond; their fond recollection is the consciousness of service well performed, and a Nation's gratitude well earned. Let us not fall in appreciation at this late hour. I hope these amendments will be defeated.

The CHAIRMAN. The Chair is going to recognize the gentleman from Tennessee, and then the Chair hopes that the committee will be ready to vote.

Mr. McKELLAR. Mr. Chairman and gentlemen of the committee, I am in favor of this amendment. I think my colleagues will agree that I have exhibited a very liberal attitude on the subject of pensions since I have been a Member of this House. As a member of a subcommittee of the Committee on Military Affairs that has to do with these matters I have seen that in every case where a man honestly fought for his country and by some mischance or accident had some defect in his record that did not involve moral turpitude, and where the ex-soldier needed the pension, I have always seen that that man went on the pension rolls, because I believe that a man who honestly fought for his country and honestly served his country in time of war ought to be on the pension rolls if by reason of old age or disability incurred in the service he needs help and has no independent support. But I want to call the attention of gentlemen of this committee to the remarkable figures about pensions. We pay \$169,000,000, as provided in this bill, for pensions every year. How much do you suppose that all the nations of all the earth pay their ex-soldiers? Would not you think it reasonable to suppose that all the nations of all the earth would pay to their ex-soldiers as much pensions as we pay? The fact is all the nations of all the earth pay but \$1,166,000 in pensions. We pay more than one hundred and fifty times as much as England, France, Germany, Russia, and all other nations put together pay. We actually pay to residents in Canada more money in pensions than the Government of Canada pays to its own soldiers in pensions. We pay more in any one week, nay, three times as much in a week, in pensions than all the nations of the earth pay in a year. I say we ought to be liberal toward our old soldiers, but we are carrying our liberality to an absurd extreme when we pay pensions to the rich just as we do to the needy, and to those who have expatriated themselves just as we do to our own citizens.

Mr. WILLIS. Will the gentleman yield?

Mr. McKELLAR. We ought to be fair to them, but it does seem to me, in the interest of good government and in the interest of economy and in justice to all our people, we should draw the line somewhere, and why should not we draw that line where it will not hurt? Why not withdraw these bounties to the rich? Why not withdraw them from the aliens? If a man is drawing as much as \$2,000 a year in a salary or income, he does not need to be a pensioner upon the Government's bounty, in my humble judgment. If he is patriotic, he ought not to want a pension. If he loves his country, he ought not to measure his love in money at so much per quarter.

Mr. GOOD. Will the gentleman yield?

Mr. McKELLAR. Yes.

Mr. GOOD. The gentleman says he intends to be fair in the matter of paying pensions. I notice in the appropriation bill here before the House last year, simply making appropriations to pay the pensions which the law provides, the gentleman voted against that appropriation bill.

Mr. McKELLAR. That is entirely true and I expect to vote against this bill. I shall vote against any bill that votes the people's money indiscriminately to those who fought for the

Union and to those who did not fight for it until years after when they saw the benefits of a pension roll.

Mr. GOOD. Does the gentleman think that is generosity?

Mr. McKELLAR. It may not be generosity, but it is honesty. I think that is entirely fair, for this reason: I do not blame you gentlemen from the North for desiring to give liberal pensions to the deserving and needy old soldiers. I am with you in that. But, when you go further and include in your bills these enormous bounties to men in your districts, the great number of whom could have never heard the artillery roar, nor could never have seen the smoke of battle, then I am against you, for I take it, that none of us really believe that 50 years after the Civil War has closed, there are 450,000 survivors of the Union Army as shown by these pension records, which survivors are still alive. Nature does not extend their lives simply because they were in the Army. Coming from the tenth district of Tennessee, as I do, where my people are very naturally entirely opposed to pensions, which they are taxed to pay and no part of which they receive or ought to receive, I reflect their views and their wishes, as I believe, when I cast my vote against these bills.

Mr. MADDEN. Will the gentleman yield?

Mr. McKELLAR. On the other hand, though, whenever it comes to a question of being fair to the soldier who really fought for the Union, I always vote to put him on the pension roll, for I love the Union myself, and admire the patriotism and valor of the men who fought for it.

Mr. MADDEN. Will the gentleman yield to a question?

Mr. McKELLAR. I will.

Mr. MADDEN. Does the gentleman from Tennessee believe that such legislation as this tends to encourage the patriotism that is needed now in the face of a war with Mexico?

Mr. McKELLAR. I want to say to the gentleman, that if patriotism has fallen so low in this country that we have to pay for it in pensions, then God save our country. [Applause.] I want to say to the gentleman that in that part of the country where I come from, from that part of our land that is south of the Potomac River, where we do not receive pensions as they do in the North—

Mr. MADDEN. And where you ought not to.

Mr. McKELLAR (continuing). If we have trouble with Mexico or any other nation, you will find the young men and the old men of our Southland, where we are not paid to be patriotic but where we love our country and our flag, rising as one man to defend the flag of the Republic. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. And at the same time rise as one man to prevent the payment of pensions to the old soldiers?

Mr. BARTLETT and Mr. FESS rose.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] is recognized.

Mr. BARTLETT. Mr. Chairman, I desire to ask unanimous consent to close this debate in 10 minutes.

Mr. HUMPHREY of Washington. Move to close it now.

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that all debate on this amendment shall be closed in 10 minutes, and if I do not get unanimous consent I am going to move to close debate.

Mr. FESS. Mr. Chairman—

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] asks unanimous consent to close the debate in 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Chair is going to recognize the gentleman from Ohio [Mr. FESS] now and the gentleman from Missouri [Mr. RUCKER] to close.

PENSIONS.

Mr. FESS. Mr. Chairman, I have not said anything upon the pension legislation of this House, and what I say now will not impugn the motives of anybody in expressing his opinion, either in amendments proposed to the bill or what has been said in support of amendments. The situation growing out of the Civil War, where so much bitterness was inevitable, would cause one's motives probably to be impugned if his utterances were not entirely clear when he speaks on pension matters. All I rise to say is this, that the Civil War was the greatest contest that history knows anything about between two wings of the Anglo-Saxon people, taking two distinct views of our system of Federal Government, and when it closed the most remarkably dramatic and in many ways historical event that is known in the history of civil government took place. I want to repeat to this group of men that, in my judgment, the greatest single incident in the history of civil government in the world was the successful ending of that war for the preservation of this Union. There is no doubt in the mind of any man upon either side of

this House as to that statement. It is now 49 years since that sublime scene at Appomattox took place, where the great general, the conquering hero, and leader of the forces of the Federal Army, received, in recognition of the splendid abilities of the peerless man from Virginia, the leader of the Confederate forces, not the sword, but rather the symbol of surrender. The scene was brightened when it was stated that we do not want to humiliate anybody in this country, especially a soldiery of the type of those laying down their arms. Therefore that tremendous conflict closed with less rancor between the two leaders, as well as between their followers, and I do not believe anything ought to be said upon the floor now, either on this side or on that, that would indicate that we want to revive any ill feeling between the two sides. [Applause.] All I am asking, 49 years after its close, with the average age of those who fought for the Nation's life beyond 70, when no great number can longer remain, is that we do not make any move in any way to reduce our appreciation of the men who fought in this struggle for the preservation of the Union. [Applause.]

Let us not make any change of policy at this late day. I say this not to impugn anybody's motive. I only ask Members not to run counter to their own judgment, but let the Sherwood bill stand unamended until we amend it by giving greater recognition. If such an amendment as that is proposed, I will support it. These amendments subtract. Do not take it away. [Applause.] I would not take any pension away from the man 70 years old, who leaves the United States to go into Canada, a newer country, to try to make a home there because, perhaps, there is an opportunity, or, at least, a better opportunity, up there that he has not had here because of the incentives held out to settlers. I would not take it away from him. I would not take it away from the man who, because of his ability, is enabled to draw \$100 a month, for I would not want to put our pension policy upon a pauper basis, but would want to put it on a service basis. And because he happens to be able to command a salary, I would not punish him by taking it away from him. I call upon the membership of this House in 1914, 50 years after the struggle has closed, not to start a movement to reduce our appreciation of the men who fought in this tremendous war for the Union. And that is not said in any derogation of the splendid abilities and soldierly qualities that are recognized in the men who fought on the other side of this great struggle.

I speak to my friends from the Southland and I speak to my friends from the Northland. Let us act now as if we have not forgotten the vallant services of the gallant men or lessened the appreciation that we owe to this citizenship. I hope that both of these amendments will be voted down and that we shall take no backward step in our treatment of the men who made possible the Nation as we behold it to-day, a half century later. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

[Mr. RUCKER addressed the committee. See Appendix.]

Mr. BARTLETT. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. SHERWOOD] may have three minutes.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] asks unanimous consent that the gentleman from Ohio [Mr. SHERWOOD] may have three minutes. Is there objection? There was no objection.

Mr. SHERWOOD. Mr. Chairman, I have voted, I believe, consistently against giving old-age pensions to soldiers who have renounced their allegiance to the United States. I think I shall vote for the Borland amendment, because that takes care of every soldier who was disabled in the service. I can not understand how that will do any injustice to any soldier who served during the Civil War.

I have always opposed age pensions. I said on the floor of the House when my pension bill was pending that I was in favor of a pension for service and disability. That age pension provision was put on in the Senate as a compromise. I do not believe there is any merit in being old. In two Congresses I have been the oldest man in Congress, and if there is any merit in being old or any virtue in being old then I am the most virtuous man in this Congress. [Laughter and applause.] When my pension bill was finally enacted I said I would never accept a pension under the Sherwood bill, because it pensioned a man for age, or because he was old. I never have and never will apply for a pension under that law, because I believe in making the pension roll a roll of honor, for service or disability. [Applause.] I shall support this amendment, because I do not believe that a man who thinks this country is not good enough to live in, a man who repudiates that flag that hangs above our handsome Chairman, and who swears allegiance to a foreign

country, has any business to take money out of the United States Treasury. I am in favor of taking all we can get for soldiers who still stand by the flag. [Applause.]

The CHAIRMAN. An amendment has been offered by the gentleman from Missouri [Mr. RUCKER], and to that a substitute is offered by the gentleman from Missouri [Mr. BORLAND]. The question will first be taken on the substitute.

Mr. GORDON. Can we not have the substitute reported?

Mr. GORMAN. I ask unanimous consent that the substitute and amendment be reported.

The CHAIRMAN. The Clerk will report the substitute.

The substitute offered by Mr. BORLAND was again read.

The question being taken on the substitute, on a division (demanded by Mr. BORLAND) there were—ayes 28, noes 80.

Accordingly the substitute was rejected.

The CHAIRMAN. The question now recurs upon the original amendment offered by the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, in view of the returns we have just had, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman can not withdraw the amendment except by unanimous consent.

Several Members objected.

The question being taken, the amendment was rejected.

The Clerk resumed and completed the reading of the bill.

Mr. BARTLETT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

Mr. RUCKER. Pending that, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the motion of the gentleman from Georgia [Mr. BARTLETT].

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MURRAY of Oklahoma, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15280) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1915, and for other purposes, and had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. BARTLETT. Mr. Speaker, I move the previous question on the bill to the final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

On motion of Mr. BARTLETT, a motion to reconsider the last vote was laid on the table.

CONTRIBUTIONS FOR POLITICAL PURPOSES.

Mr. RUCKER. Mr. Speaker, I desire to file a privileged report (H. Rept. 655) of the committee appointed under House resolution 256, to investigate and report whether any Member has been guilty of violating the provisions of the criminal code by soliciting contributions for political purposes, known as the Doremus investigation, and to announce that on some day next week I will call up the matter for consideration. I file also the views of the minority and ask that both reports be printed.

The SPEAKER. The report and the views of the minority will be printed and referred to the House Calendar.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5065. An act for the relief of Mirick Burgess; to the Committee on Military Affairs.

S. 1703. An act for the relief of George P. Chandler; to the Committee on Military Affairs.

S. 1086. An act for erecting a suitable memorial to John Ericsson; to the Committee on the Library.

S. 5066. An act to increase the authorization for a public building at Osage City, Kans.; to the Committee on Public Buildings and Grounds.

S. J. Res. 95. Joint resolution providing for method of improving channels giving access to military reservations or fortifications; to the Committee on Military Affairs.

S. J. Res. 139. Joint resolution to authorize the President to grant leave of absence to an officer of the Corps of Engineers for the purpose of accepting an appointment under the Govern-

ment of China on works of conservation and public improvement; to the Committee on Military Affairs.

WILLIAM T. GRADY—LEAVE TO WITHDRAW PAPERS.

By unanimous consent, at the request of Mr. CAMPBELL, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of William T. Grady, Sixty-third Congress, second session, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DETTRICK, for 10 days, on account of illness.

ADJOURNMENT.

Mr. BARTLETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p. m.) the House adjourned until Monday, May 11, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of War, submitting estimates of deficiency in appropriations required by the War Department for the fiscal year ending June 30, 1914 (H. Doc. No. 970), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GORMAN, from the Committee on the District of Columbia, to which was referred the bill (H. R. 8593) amending the building regulations of the District of Columbia by providing for the better protection of persons engaged in and about the construction, repairing, alterations, or removal of buildings, bridges, viaducts, and other structures, reported the same with amendment, accompanied by a report (No. 649), which said bill and report were referred to the House Calendar.

Mr. DUNN, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 13611) authorizing the Secretary of the Treasury to disregard the provision contained in the public-building act approved March 4, 1913, requiring open space for fire protection about the proposed Federal building at Salisbury, Md., reported the same without amendment, accompanied by a report (No. 650), which said bill and report were referred to the House Calendar.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the resolution (H. J. Res. 163) proposing an amendment to the Constitution of the United States, reported the same without amendment, accompanied by a report (No. 652), which said bill and report were referred to the House Calendar.

Mr. CHANDLER of New York, from the Committee on the Judiciary, to which was referred the resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, reported the same without amendment, accompanied by a report (No. 653), which said bill and report were referred to the House Calendar.

Mr. FLOYD of Arkansas, from the Committee on the Judiciary, to which was referred the bill (S. 485) to amend section 1 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 654), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. McKELLAR, from the Committee on Military Affairs, to which was referred the bill (H. R. 16358) for the relief of Abraham Kauffmann, reported the same without amendment, accompanied by a report (No. 651), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREGG: A bill (H. R. 16413) authorizing the erection of a post-office building at Crockett, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. EDWARDS: A bill (H. R. 16414) providing for a military highway between the Government arsenal at Augusta, Ga., and the Government fort at Fort Screven, Tybee Island, Ga., by way of the Old Stockade in Jenkins County, Ga.; to the Committee on Military Affairs.

By Mr. BAKER: A bill (H. R. 16415) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls; to the Committee on Military Affairs.

By Mr. ADAMSON: A bill (H. R. 16416) to provide for recognizing the services of certain officers of the Army and Navy, late members of the Isthmian Canal Commission, by extending to them the thanks of Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. POST: Joint resolution (H. J. Res. 265) relating to the awards and payments thereon in what is commonly known as the Plaza cases; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 16417) granting an increase of pension to James Edward Dare; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16418) granting an increase of pension to Adam Forney; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 16419) granting an increase of pension to John H. Smith; to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 16420) granting an increase of pension to Artamina Carpenter; to the Committee on Pensions.

By Mr. BOWDLE: A bill (H. R. 16421) granting an increase of pension to Missoura A. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16422) granting an increase of pension to John W. Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 16423) granting an increase of pension to Joseph H. Woodruff; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 16424) for the relief of Lloyd C. Stark; to the Committee on Naval Affairs.

By Mr. CONRY: A bill (H. R. 16425) for the relief of the Schwarzschild & Sulzberger Co.; to the Committee on Claims.

By Mr. FERGUSON: A bill (H. R. 16426) granting a pension to Harry S. Comrey; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 16427) granting a pension to Elizabeth Hale; to the Committee on Invalid Pensions.

By Mr. GILMORE: A bill (H. R. 16428) granting a pension to Thomas J. Moore; to the Committee on Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 16429) for the relief of the estate of Richard Brown, deceased; to the Committee on War Claims.

By Mr. KEISTER: A bill (H. R. 16430) for the relief of John Oursler; to the Committee on Military Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 16431) to validate the homestead entry of William H. Miller; to the Committee on the Public Lands.

By Mr. NEELY of West Virginia: A bill (H. R. 16432) granting an increase of pension to Francis M. Hockinbery; to the Committee on Invalid Pensions.

By Mr. PETERS of Maine: A bill (H. R. 16433) granting a pension to Edward J. Glennon; to the Committee on Pensions.

Also, a bill (H. R. 16434) granting an increase of pension to Levi Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16435) for the relief of Stephen A. Winchell; to the Committee on Military Affairs.

By Mr. POST: A bill (H. R. 16436) granting an increase of pension to David R. Jacobs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16437) granting an increase of pension to James W. Welsh; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 16438) granting an increase of pension to Andrew J. Dolph; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 16439) granting an increase of pension to Nelson J. Letts; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of Redondo Beach, Cal.; Roberts, Ill.; Middletown, N. Y.; and Indianapolis, Ind., against polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the city council of New Orleans, La., favoring Hamill bill (H. R. 5139) to pension postal employees; to the Committee on Reform in the Civil Service.

By Mr. AIKEN: Resolutions of a Democratic convention of Anderson County, S. C., indorsing administration of President Wilson; to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: Petitions of sundry citizens of Hamilton County, Ohio, and other citizens of Ohio, against national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of the Coshocton (Ohio) Glass Co., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BAILEY (by request): Petitions of A. J. Bird, J. S. Oakes, F. G. Kellar, Ira King, Walter Furl, D. W. Dietz, V. G. Bowman, R. H. Hammer, L. D. Miller, C. W. Shaffer, F. H. Randle, Daniel Statler, M. L. Rankin, J. R. Keeler, W. E. Oldham, M. W. Shaffer, John Hitzshew, D. B. Kring, W. B. Benson, W. A. Blough, H. V. Eppley, J. S. Mosholder, J. H. Kring, J. S. Long, Jacob Esterly, Solomon Kimmel, C. S. Mishler, C. E. Thomas, E. T. Grubb, George Wentz, David G. Evans, Henry Blum, J. T. Glesmer, B. E. Slick, Homer Blanset, R. W. Mardis, Frank Harbaugh, S. R. Cullis, W. H. Queer, M. W. Swabb, H. M. Heinze, J. C. Hildebrand, A. L. Hildebrand, J. W. Heinze, E. T. Heffley, A. C. Ahlborn, George Boxerdale, Charles A. Manges, T. J. Hughes, E. E. Hickler, George Brown, F. E. Cooper, J. W. Schnabel, T. B. Dixon, George P. Bauer, J. F. Leese, C. E. Frank, S. J. Davis, Alex Hofecker, E. P. Ditzeler, M. S. Edwards, C. M. Gill, Anderson Wertz, J. W. Harshberger, Jacob Wingard, Lee Wingard, J. D. Strayer, S. N. Carpenter, F. B. Kinzey, H. H. Bolden, Cecil Criller, Benoni Kauffman, H. F. Heffley, Henry Grush, W. H. C. Sprengle, Lewis Weaver, John Dignan, F. L. Wilson, Harry Wolfard, A. M. Wilson, R. W. Wallace, John Phillips, J. A. Atkinson, William K. Moore, Gabriel Klue, Henry Lenhart, D. S. Wilson, S. D. Bracken, G. Collins, E. B. Stockberger, Jacob Wallace, J. C. Neff, L. S. Berkey, H. L. Berkey, N. L. Boyts, George Hofecker, Joseph Kantner, William J. Pifer, H. W. Manges, H. M. Shaver, C. H. Kieffer, George W. Shaver, Daniel Snavey, S. A. Whyte, George Moyer, H. S. Slick, William H. Shaver, R. W. Horner, Edgar Bentley, H. H. Weimer, G. H. Wolfe, R. O. Miller, R. E. Boyt, Robert Stephens, W. L. Kauffman, all of Johnstown, Pa., for passage of House joint resolution 168, relative to national prohibition; to the Committee on the Judiciary.

Also (by request): Petitions of Brice Sell, F. A. Langham, J. U. Benton, J. A. Sell, Fred Benton, Simon Sell, Martin S. Greenleaf, D. D. Sell, C. L. Anderson, Leo Schilling, J. H. Harker, John Sell, T. A. Sell, S. A. Sell, Mrs. Fred Benton, Mrs. J. U. Benton, Mathew Sell, Amelia Benton, Mary Benton, Mrs. A. Water, Ruth E. Benton, Mary Sell, Mrs. Luke Bowser, Chester Langham, Sara M. Langham, Mrs. James A. Sell, Mrs. C. R. Allen, Mrs. Brice Sell, Mrs. Jennie Sell, Mrs. David Beck, Arvilla Sell, Edna Anderson, Mrs. Minnie Baker, Harry Baker, Emory Langham, Mrs. F. A. Langham, Essington Bowser, Mrs. Sarah E. Allison, Mrs. Margaret Feichter, Mrs. Clara Sell, all of Hollidaysburg; Jerry Snowberger, Ira Snowberger, A. L. Miller, Archie Claar, Burdine Claar, E. H. Claar, Grant Snowberger, Sue Keagy, H. D. King, Mrs. H. S. King, Gary Ruggles, Florine Snowberger, Louis Holland, Luke Bowser, Marella Snowberger, Rachel R. Claar, Florine Claar, E. R. Zeigler, Jennie R. Zeigler, Mrs. George Zeigler, Pearl Miller, Elmer Zeigler, all of East Freedom; also, J. M. Greenleaf, Anthony Walters, J. H. De Haas, Mrs. Elizabeth Wineland, Mrs. J. M. Greenleaf, Bertha Greenleaf, Anna Greenleaf, Harriet M. McGraw, all of McKee; also, F. A. Bowser, James W. Hammel, Mrs. James Hammel, Mrs. Laura Wyant, Mrs. Grover Diehl, Mrs. Bertha Hammel, Miss Laura Hammel, all of Newry; also, Ethel A. Manges, of Roaring Spring; Mrs. Laura Hoover, of Brooks Mills; and William B. Singer, of Lamersville; H. G. King, Mrs. Grant Snowberger, East Freedom; all in the State of Pennsylvania, for passage of House joint resolution 168, relative to national prohibition.

Also, petitions of White, Hentz & Co., of Philadelphia; John Finn, of South Fork; and J. V. Leonard, of Gallitzin, all in the State of Pennsylvania, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of the Spangler Branch of the William A. Sunday Antiliquor Association and the Men's Club of the Spangler Presbyterian Church, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of Local Union, No. 146, United Mine Workers of America, of Hopewell, Pa., favoring Government intervention in mining district of Colorado; to the Committee on the Judiciary.

By Mr. BAKER: Petition of sundry citizens of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of New Jersey, against national prohibition; to the Committee on the Judiciary.

By Mr. BARNHART: Petition of sundry citizens of Laporte, Michigan City, South Bend, Rochester, Lapaz, Akron, Mishawaka, Hamlet, Elkhart, Knox, and other cities in the State of Indiana, in opposition to Hobson prohibition amendment; to the Committee on the Judiciary.

By Mr. BATHRICK: Petitions of sundry citizens of Barberton; the Methodist Episcopal Church and citizens of Akron, Ohio; and the Second Christian Church of Warren, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of various officers of the Political Equality Club of Warren and Jefferson Suffrage League, of Ashtabula, Ohio, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. BEALL of Texas: Petition of the First Methodist Church of Dallas, Tex., favoring Federal censorship of motion pictures; to the Committee on Education.

Also, petition of sundry citizens of Dallas, Tex., favoring House bill 12928, to amend postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Dallas, Tex., and Dallas County, Tex., against Sabbath-observance bill; to the Committee on the District of Columbia.

By Mr. BROWNING: Petition of 330 citizens of Camden, N. J., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of 42 citizens of Gloucester County and 13 citizens of Swedesboro and Bridgeport, all in the State of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

By Mr. BRUCKNER: Memorial of Hebrew-American Typographical Union No. 83, International Typographical Union, relative to the Bartlett-Bacon bill (H. R. 1873); to the Committee on the Judiciary.

Also, petition of 146 voters of the twenty-second New York congressional district, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petitions of John Kohn, William Peterson, H. Macklaff, F. Winknetz, F. Wans, Thomas Rymers, Joseph Sheaffer, August Haas, Frank Koenig, H. Guertkon, George Bingham, Adolph Wilde, Herman Deedrich, Paul Luepke, Robert Oberdas, J. Myruck, F. Hoenig, William Engle, M. Twoka, Anton Worzala, H. Krokea, T. Troker, S. Stamevehski, and M. Zermuramy, all of Milwaukee, Wis., protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50 or any other prohibition measures which tend to prohibit the manufacturer, sale, shipment, or importation of any kind of alcoholic beverages; to the Committee on the Judiciary.

Also, petition of the Wisconsin Brewers' Association and sundry citizens of Milwaukee, Wis., against national prohibition; to the Committee on the Judiciary.

By Mr. CURRY: Petitions of F. Hurdy, Edward Price, F. H. Fowles, E. J. Scott, Henry P. Bryant, Julia Punt, E. L. Ingham, John Stark, Ruth Bayless, Christine Bryant, Silas Williams, J. Ingold, Maye Robertson, Otis J. Hunt, and Forbes H. Brown, all of Vallejo, Cal., to submit amendment prohibiting importation, manufacture, and sale of intoxicating liquors; to the Committee on the Judiciary.

Also, petition by the Farmers & Merchants Bank, of Stockton; P. E. Platt, of Stockton; the Union Safe Deposit Bank, of Stockton; the members of the Grain Trades Association of California; R. B. Teefy, for the San Joaquin Valley Bank, of Stockton; the governing board, associate membership of the Knights of the Royal Arch; German-American League of California, all of the State of California, against the passage of the Hobson national constitutional prohibition resolution; to the Committee on the Judiciary.

By Mr. DALE: Petitions of E. E. Bennett, Martin Wing, G. H. Armstrong, E. La Montagues, all of New York City, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of sundry citizens of Fort Pierre, S. Dak., favoring women's suffrage amendment; to the Committee on the Judiciary.

By Mr. DIXON: Petition of 24 voting citizens and the Methodist Episcopal Church, of Dupont; 50 citizens of Free-town; 150 citizens of Madison; 50 citizens of Moores Hill; 19 citizens of Seymour; the Woman's Christian Temperance Union

of Dearborn; and 36 citizens of Decatur County, all of the State of Indiana, favoring national prohibition; to the Committee on the Judiciary.

By Mr. DUNN: Petition of sundry citizens of East Robertson, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of the New York Peace Society, approving mediation to prevent war with Mexico; to the Committee on Foreign Affairs.

Also, memorial of the Racine Civics Study Class, urging passage of the Bristow-Mondell resolution relative to franchise for women; to the Committee on the Judiciary.

By Mr. FERGUSON: Petitions of J. T. Lewis, R. R. Wilson, and 34 other citizens of Jordan, House, Portales, and McAllister; Earl E. Forbes, J. J. Basden, and 43 other citizens of Clovis; Mrs. R. R. Yelland, B. H. Porter, Dr. R. D. Holt, and 26 other citizens of Espanola; W. S. Gilliam, E. L. Forgason, and 41 other citizens of Mesilla Park; the Sunday School Convention, signed by its presiding officer, W. J. Morgan, of McAllister, all in the State of New Mexico, for national prohibition; to the Committee on the Judiciary.

Also, petition of Matias Romero, Pablo Martinez, and 10 other citizens of San Marcial and Clyde, N. Mex., favoring the passage of House bill 12929, including section 6 thereof, to amend postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Matias Romero and 21 other citizens of San Marcial, Clyde, and San Antonio, N. Mex., protesting against the enactment of legislation closing the barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

Also, petition of W. P. Riley, Hon. Eugene L. Brewer, Hon. E. M. Teel, and 37 other citizens of Hope, N. Mex., and vicinity, favoring the enactment of legislation establishing a national flexible currency; to the Committee on the Judiciary.

Also, petitions of the Union Church, representing 100 people, of Fort Sumner; a singing school, representing 20 people, of Melrose; a citizens' meeting, representing 125 people, of Taiban; a mass meeting, representing 400 people, of Las Vegas; a meeting of cattlemen and ranchmen, representing 25 people, of Mineral Hill; the East Mora County Bible School Association, representing 272 people, of Roy; the Liberty Sunday School, representing 32 people, of Roy; the Methodist Episcopal Church, representing 300 people, of Las Cruces; the Presbyterian Church, representing 100 people, of Las Cruces, all in the State of New Mexico, favoring national prohibition; to the Committee on the Judiciary.

By Mr. FERRIS: Petition of the working class of Chickasha, Okla., relative to intervention by the Government in mining trouble of Colorado; to the Committee on the Judiciary.

By Mr. GOODWIN of Arkansas: Petition of sundry citizens of Prescott, Ark., favoring national prohibition; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of various voters of the second congressional district of Pennsylvania; M. A. Jackson and E. M. Slappeler, of Philadelphia, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of various voters of Port Royal and the Presbyterian Church of Port Royal, Pa., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Manufacturers' Association of Erie, Pa., relative to bills to regulate the conduct of interstate business; to the Committee on the Judiciary.

By Mr. HAYDEN: Petition of Elfrido Ara and 48 other residents of Pirtleville, Ariz., in favor of the Lindquist pure-fabric law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Josiah Fike and 20 other citizens, of J. W. Owen Post, No. 5, Grand Army of the Republic, of Phoenix, Ariz., against changing United States flag; to the Committee on the Judiciary.

Also, petition of 115 citizens of Prescott, Ariz., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of H. F. Courter and 12 other citizens of Solomonville, Ariz., favoring House bill 12928, to amend postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Thatcher, Ariz., favoring equal suffrage; to the Committee on the Judiciary.

Also, petition of H. F. Courter and 14 other residents of Solomonville, Ariz., against the passage of House bill 7826, a bill to provide for closing barber shops in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HINEBAUGH: Petition of various voters of the twelfth congressional district of Illinois, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. HOWELL: Thirty-four telegrams from Charles H. Smith, H. Buchmiller, A. L. Brewer, T. H. Carr, Robert L. Proudfit, James Pingree, Last & Thomas, A. P. Biglow, Ogden Wholesale Drug Co., Murphy Hardy Co., A. R. McIntyre, J. L. Carlson, J. N. Spargo, Dr. C. F. Osgood, C. J. Humphries, T. D. Ryan, F. Fouts, George McCormick, W. H. Harris, H. M. Rowe, Patrick Healy, G. H. Tribe & Co., Ogden City Ice Co., W. B. Porterfield, M. S. Browning, J. W. Abbot, Joseph Scowcroft, Union Portland Cement Co., Buchmiller & Flower, Thomas G. Burt, W. H. Chevers, A. M. Miller, Frank J. Stevens, and David Mattson, all of Ogden, Utah, protesting against national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petitions of various churches representing 680 citizens of Salt Lake City, 272 citizens of Ogden, 50 citizens of Garland, 105 citizens of Tremonton, 23 citizens of Ferron, 50 citizens of Logan, 16 citizens of Delta, 26 citizens of Richfield, 65 citizens of Moab, and 21 citizens of Ephraim, all in the State of Utah, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HULINGS: Petition of 18 citizens of Oil City, Pa., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of the First Presbyterian Sunday School, Ridgway, representing 250 persons; the Christian Endeavor Society, Ridgway, representing 40 persons; the Ridgway Free Methodist Church, Ridgway, representing 40 persons; the Trinity Methodist Episcopal Church, Ridgway, representing 800 persons; the Ridgway Presbyterian Missionary Society, Ridgway, representing 30 persons; the Woman's Home Missionary Society, Ridgway, representing 56 persons; the Epworth League of Trinity Methodist Episcopal Church, Ridgway, representing 43 persons; the Woman's Christian Temperance Union, Youngville, representing 62 persons; the Missionary Society, Second Presbyterian Church, Oil City, representing 90 persons; the Children's Aid Society, Oil City, representing 75 persons; and the Trinity Sunday School, Spartansburg, representing 19 citizens, all in the State of Pennsylvania, favoring House resolution 168, the Hobson resolution, for national prohibition by Federal amendment to the Constitution; to the Committee on the Judiciary.

Also, petition signed by 109 voters of Grove City, Mercer County, Pa., in favor of the national prohibition amendment; to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: Petition of sundry citizens of the State of Washington, against national prohibition; to the Committee on the Judiciary.

Also, petitions of various churches representing 21 citizens of Seattle, 100 citizens of Mount Vernon, 30 citizens of Friday Harbor, 55 citizens of Renton, 35 citizens of Belleville, and 60 citizens of Allen, all in the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

By Mr. IGOE: Petition of the J. B. Sickles Saddlery Co. and the P. K. Engineers of St. Louis, Mo., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KEISTER: Petition of 120 citizens of Mount Pleasant, 55 citizens of Irwin, 83 citizens of Scottsdale, and sundry citizens of Slippery Rock, all in the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Slippery Rock, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. KINDEL: Petition of sundry citizens of Denver, Colo., favoring House bill 12928, to amend postal laws; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of Denver and Fort Lupton, Colo., protesting against passage of the Sabbath-observance bill; to the Committee on the District of Columbia.

Also, petitions of sundry citizens of the fifth congressional district of Colorado and sundry citizens of Denver, Colo., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KINKEAD of New Jersey: Petitions of F. L. Westerfield, T. J. Mallory, and sundry citizens of the eighth congressional district of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. KONOP: Memorial of the University Club; the Racine Suffrage Association, of Racine; and sundry citizens of Peshtigo, all in the State of Wisconsin, relative to franchise for women; to the Committee on the Judiciary.

Also, petition of Carl Fredrickson and others, of Athelstone, Wis., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of the Equal Franchise League, of New Britain, Conn., favoring the passage of the Bristow-

Mondell resolution enfranchising women; to the Committee on the Judiciary.

By Mr. McCLELLAN: Petition of 305 citizens of Ulster County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MCCOY: Petitions of 4,885 citizens of the ninth congressional district of New Jersey, against national prohibition; to the Committee on the Judiciary.

Also, petition of 3,000 citizens of Essex County, N. J., against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Essex County, N. J., and other cities of New Jersey, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of various banks of Newark, N. J., favoring amendment to income-tax law; to the Committee on Ways and Means.

By Mr. MCGILLICUDDY: Petitions and resolutions of the Eaton Memorial Methodist Episcopal Church, of Livermore Falls; the Hannibal Street Methodist Episcopal Church, of Lewiston; the Park Street Methodist Episcopal Church, of Lewiston; the High Street Congregational Church, of Auburn; East Hebron Grange, No. 300, of Turner; Advance Lodge, No. 10, Independent Order of Good Templars, of South Lewiston; and sundry citizens of East Hebron and Livermore Falls, all of the State of Maine, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MAGUIRE of Nebraska: Petitions of various churches and organizations, representing 1,071 citizens of Lincoln, Nebr., favoring national prohibition; to the Committee on the Judiciary.

By Mr. MOTT: Petition of sundry citizens of the thirty-second congressional district of New York, against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of Three Mile Bay, Philadelphia, and Earlville, all in the State of New York, favoring national prohibition; to the Committee on the Judiciary.

By Mr. NEELY of West Virginia: Petitions of the West Milford Methodist Episcopal Church, of West Milford; the Duff Street Sunday School; the Sycamore Methodist Episcopal Church; the Coburns Creek Methodist Episcopal Church; the St. Paul's Sunday School; the First Methodist Episcopal Sunday School; the First Presbyterian Sunday School; the St. Mark's Evangelical Lutheran Sunday School; the First Baptist Sunday School; and the Christian Church Sunday School, all of Clarksburg, W. Va., for national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. NELSON: Petition of sundry citizens of Darlington, Wis., and Grant County, Wis., against national prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of the third congressional district of Wisconsin, favoring woman suffrage amendment; to the Committee on the Judiciary.

By Mr. J. I. NOLAN: Memorial of the Chamber of Commerce of San Francisco, Cal., favoring the passage of Senate bill 3993, relative to appropriation for new buildings for marine hospital at San Francisco, Cal.; to the Committee on Appropriations.

By Mr. PAIGE of Massachusetts: Petition of sundry citizens of Athol, Mass., favoring passage of House bill 12923, retaining section 6; to the Committee on the Post Office and Post Roads.

Also, petition of sundry citizens of Athol and Petersham, Mass., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PHELAN: Petition of sundry citizens of Massachusetts, against national prohibition; to the Committee on the Judiciary.

Also, petitions of 400 citizens of Lawrence, 100 citizens of Winchester, and 150 citizens of Reading, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

By Mr. POST: Petitions of sundry citizens of Piqua, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROBERTS of Nevada: Petitions of 500 men and women of Reno, Nev., favoring Bristow-Mondell constitutional amendment for woman's suffrage; to the Committee on the Judiciary.

By Mr. SCULLY: Petitions of sundry citizens of Middlesex County, N. J., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SELDOMRIDGE: Petitions of various churches representing 529 citizens of Pueblo, 30 citizens of Steamboat Springs, 100 citizens of Fowler, and sundry citizens of Bayfield, all in the State of Colorado, favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Denver Convention Association against national prohibition; to the Committee on the Judiciary.

By Mr. SELLS: Petition of 326 citizens of Tazewell, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. STAFFORD: Petition of 2,991 voters of the fifth district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Resolution adopted by the St. Paul Turnverein Society, of St. Paul, Minn., urging passage of the Hamill bill, providing pensions for aged employees of the Government; to the Committee on Reform in the Civil Service.

By Mr. TAVENNER: Petition of Joseph L. Haas, president of the Municipal League of Rock Island County, Rock Island, Ill., against national prohibition; to the Committee on the Judiciary.

Also, petition of Victor Roderick, of La Harpe, Ill., favoring Stevens bill (H. R. 13305) relative to standardization of prices; to the Committee on Interstate and Foreign Commerce.

By Mr. WALSH: Petition of 2,839 citizens of the fourth congressional district of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Mrs. I. Ernsberger, of Ada, Ohio, and other members of the Woman's Christian Temperance Union, urging the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Martha McCarty, of Delaware, Ohio, and other members of the Delaware County Woman's Christian Temperance Union, urging the adoption of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of John N. Schirmer, of Cleveland, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Barney Schleper, of Findlay, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Joseph A. Schmitt, of Bedford, Ohio, protesting against the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. M. Hickernell, of Ada, Ohio, and other members of the Women's Home Missionary Society of the First Methodist Episcopal Church, urging the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Emerson Ritter, of Cable, Ohio, representing 40 members of the Mount Carmel Christian Endeavor, urging the adoption of House joint resolution 168, relating to national prohibition; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of sundry citizens of Massachusetts against national prohibition; to the Committee on the Judiciary.

Also, petition of 3,000 citizens of Worcester, Mass., favoring national prohibition; to the Committee on the Judiciary.

By Mr. WOODRUFF: Petition of sundry citizens of Bay City, Mich., against national prohibition; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

MONDAY, May 11, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, we thank Thee for the spirit of patriotism which obtains in the hearts of our people, that to-day the tears of a Nation will mingle with the tears of those bereft of their dear ones, who died upholding the honor and dignity of the flag which we cherish as the emblem of all that we hold sacred. The Nation honors itself in honoring its precious dead, and while she thus cares for her defenders she will not want for patriots in peace or in war. Be with, we beseech Thee, the stricken and torn hearts in this hour of sorrow. May they look to a bright beyond, where the true, the brave, self-sacrificing find a glorious reward. Peace be to their ashes, and joy ineffable to their souls as they go marching on, and everlasting praise be Thine. In the name of the Christ. Amen.

The Journal of the proceedings of Saturday last was read and approved.